

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75034 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- SIKTA District- West Champaran

Shiv Kumar Sah Son Of Sukhi Sah Resident Of Village- Laxmipur, P.S.-
Sikta, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 393, 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, informant alleged that four unknown miscreants arrived at his shop and thereafter opened fire and tried to commit loot in the meantime one customer sustained firearm injury. It is further alleged that miscreants fled away on a Glamour motorcycle bearing Reg. No. BR.22U-5560, which was captured by CCTV Camera.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of the co-accused. Neither petitioner is named in the FIR nor alleged motorcycle belongs to him. Petitioner was not arrested at the place of occurrence and nothing has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 17.03.2023 passed in Cr. Misc. No. 46676 of 2022. It is further submitted that the petitioner is not put on TIP moreover he is languishing in judicial custody since 08.02.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikta P.S. Case No. 14 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah.

(Sunil Kumar Panwar, J)

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