

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75370 of 2022

Arising Out of PS. Case No.-323 Year-2022 Thana- MAHUA District- Vaishali

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Vinay Kumar Son Of Birchandra Prasad Singh R/O Village- Chhitrauli, P.S.-
Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 25-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302, 120(B), 34 of the Indian Penal Code and

Section 27 of the Arms Act.

The prosecution case as per F.I.R is that while

the daughter of the informant was coming home after

attending coaching classes, co-accused Rahul Kumar and

one other person surrounded her and Rahul Kumar shot

fire at her, as a result of which, she received gunshot

injuries and died at the spot.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused Rahul Kumar. There is no eye witness to the occurrence. It is the specific case of the prosecution that co-accused Rahul Kumar shot at the deceased, as a result of which, she died. He has also confessed his guilt and on his confession and identification, the weapon used in the crime was recovered. The petitioner is languishing in custody since 17.05.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Chief Judicial
Magistrate, Vaishali at Hajipur in connection with Mahua
P.S. Case No. 323 of 2022.

(Sunil Kumar Panwar, J)

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