

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.187 of 2023**

Arising Out of PS. Case No.-553 Year-2021 Thana- CIVIL LINE District- Gaya

Rinku @ Ravindra Kumar S/O Late Devendra Prasad R/O Mohalla- Bhairo
Sthan, Godavari, P.S.- Rampur, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. VIKASH KUMAR S/o Vishwanath Rajak R/o mohalla- Vishnupad Road,
Sarlahi Gali, P.S.- Vishnupad, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 06-07-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
14.10.2022 passed by learned Exclusive Special Judge,
SC/ST, Gaya in connection with Civil Lines P.S. Case No.
553 of 2021 instituted for the offences punishable under
Sections 302, 120(B), 34 of the Indian Penal Code and
Sections 3(1)(v) of the SC/ST Act and Section 27 of the
Arms Act, whereby his prayer for being released on bail
has been rejected.

It is a case of commission of murder of the



brother of the informant.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The appellant is not named in the F.I.R and he has been roped in the present case only on the basis of suspicion. There is no eye witness to the occurrence. The appellant is in custody since 31.08.2022. A statement has been made in para 3 of the petition that appellant is accused in one other case apart from the present one.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant and submitted that the witnesses in para 29 and 30 of the case diary have stated that this petitioner was driving the motorcycle and the pillion rider fired upon the brother of the informant, as a result of which, he received gunshot injuries and died.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated



14.10.2022.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Gaya Civil Lines P.S. Case No. 553 of 2021.

(Sunil Kumar Panwar, J)

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