

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6078 of 2023**

Arising Out of PS. Case No.-259 Year-2022 Thana- GORAUL District- Vaishali

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1. Pritosh Kumar @ Pritosh Kumar Singh, S/O Shankar Singh, Resident Of Village- Goraul, P.S.- Goraul, District- Vaishali.
  2. Subhadra Devi, W/O Shankar Singh, Resident Of Village- Goraul, 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.Krishna Kumar Singh  
For the Opposite Party/s : Mr.Navin Kumar Pandey

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

3      17-05-2023                      Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 302, 120(B), 506, 34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, the son of the informant, namely, Vikash Kumar went to computer training centre & photostat shop. In the meantime, co-accused Prabhat Kumar and Subhash Kumar Singh came on motorcycle and Prabhat Kumar entered in the aforesaid shop and started indiscriminate firing upon the informant's son due to which



he died on spot. It is further alleged that, at some distance four unknown persons were doing recce. The allegation against the petitioners is that they are also involved in the alleged occurrence as conspirator.

Learned counsel for the petitioners submits that the petitioner is innocent and has committed no offence. They have falsely been implicated in this case. The only allegation levelled against the petitioners is that they were active in the alleged offence as liner and facilitated the circumstances. They are non-assailants. There is no consistent evidence against them. The specific allegation of shot fire is against co-accused Prabhat Kumar Singh. It is also submitted that there is pattidari land dispute between the parties. Nothing incriminating article has been recovered from the possession of the petitioners. They have got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 30.06.2022.

Learned APP appearing for the state and learned counsel for the informant have 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 period of custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Goraul P.S. Case No. 259 of 2022 on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Hajipur, Vaishali.

(Sunil Kumar Panwar, J)

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