

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82289 of 2023

Arising Out of PS. Case No.-397 Year-2022 Thana- BARARI District- Katihar

1. Kundan Kumar Pandey Son Of Mr. Sunil Pandey Resident Of Village-Pratapganj, P.S.- Barari, District- Katihar.
2. Roshan Kumar Pandey Son Of Mr. Sunil Pandey Resident Of Village-Pratapganj, P.S.- Barari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Purushottam Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Barari P.S. Case No. 2022 registered under sections 341, 342, 386, 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against co-accused persons is that they opened fire upon the informant's son due to which he died. Allegation against this petitioners is that they also involved in the said offence.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They



have falsely been implicated in this case. The petitioners are not named in FIR rather their name came during the course of investigation. No any specific overt act of firing against the petitioners rather co-accused persons made firing due to which informant's son died. Moreover, they are languishing in judicial custody since 22.07.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Barari P.S. Case No. 397 of 2022 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Katihar.

(Sunil Kumar Panwar, J)

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