

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10273 of 2024

Arising Out of PS. Case No.-129 Year-2022 Thana- GARDANIBAG District- Patna

Shiv Samrat @ Samrat, aged about 25 years, Male, Son of Sunil Kumar
Agrahari R/o vill - Ranisaray, P.S. - Bakhtiyarpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Gardanibagh P.S. Case No.129 of 2022 registered for an offence
punishable under Sections 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per allegation in the FIR, when the informant
was alone in his mobile shop, then two boys came and started
inquiry about mobile phones and third boy came and started
abusing. When the informant opposed, one of them fired upon
him due to which the informant sustained injuries.

4. Learned counsel for the petitioner submits that peti-
tioner has falsely been implicated in this case and the petitioner



has not named in the FIR and the name of the petitioner disclosed by arrested co-accused Alok Kumar. He next submits that similarly situated co-accused persons have already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. Nos. 46732 of 2022 and 72721 of 2022 respectively. Petitioner is in custody since 20.01.2023.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and period of custody of the petitioner as well as similarly situated co-accused persons have already been granted regular bail by a Co-ordinate Bench of this Court, the prayer for regular bail of the petitioner is allowed. Accordingly, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna/concerned Court in connection with Gardanibagh P.S. Case No. 129 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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