

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11661 of 2024

Arising Out of PS. Case No.-559 Year-2023 Thana- KOILWAR District- Bhojpur

Kush Kumar S/O LATE TRIBHUWAN MAHTO @ CHHOTU R/O
VILLAGE- MILKI MISHRAPUR, PS.- KOILWAR, DIST.- BHOJPUR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 29-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Koilwar P.S. Case No. 559 of 2023 dated 15.09.2023 registered for the offences punishable u/ss 302, 120B read with section 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the petitioner along with some unknown miscreants is alleged to have shot the informant's brother dead. It is further alleged that earlier, the co-accused Munna Chowdhari used to threaten the informant's brother to kill him.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Munna Chowdhari. There is no specific allegation of firing against the petitioner. There is no eyewitness to the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur, Ara in connection with Koilwar P.S. Case No. 559 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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