

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16376 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- BUNIYAD GANJ District- Gaya

Saurav Kumar @ Kumar Yuvraj @ Sourav Kumar, aged about 21 years,
Gender-Male, Son of Raj Kumar Vishwakarma @ Loha Singh, Resident of
Mohalla - Shiv Charan Lane, Manpur, P.S. - Buniyadganj, District – Gaya.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Buniyadganj PS Case No. 278 of 2023 instituted for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the FIR named accused
persons including the petitioner has murdered the husband of
the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. It is further submitted that
as per the written report, informant was not an eye witness of
the alleged occurrence. There is no any substantive piece of



evidence was found to connect the complicity of this petitioner in the alleged crime. He further submits that the petitioner is also not having any nexus with genesis or motive of the alleged occurrence. Petitioner is in custody since 13.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional District and Sessions Judge-II, Gaya dated 23.01.2024, it appears that petitioner is named in the FIR and all the witnesses are hearsay witnesses. Allegation of cause of death was due to fire arm injury as alleged by the informant but in the postmortem report as mentioned in the impugned order, no firearm injury was found on the persons of the deceased and the deceased was died due to head injury caused by hard and blunt object, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned A.C.J.M.-VIII, Gaya in connection with Buniyadganj PS Case No. 278 of 2023.

(Ramesh Chand Malviya, J)

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