

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18272 of 2024

Arising Out of PS. Case No.-1343 Year-2023 Thana- PHULWARISHARIF District- Patna

Mukesh Kumar @ Mukku @ Mukesh Rai Son Of Anup Rai Resident Of
Village - Gauriya Dera, P.S. - Phulwarisharif (Ramkrishnanagar), District -
Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Phulwari Sharif P.S Case No. 1343 of 2023 registered for

the offences punishable under Sections 302/120(b) of the

I.P.C. and Section 27.

3. As per prosecution case, it is alleged in the FIR

that petitioner along with other co-accused persons have

killed the brother of the informant by means of pistol.

4. Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case. He next

submits that there is no direct and specific allegation

levelled against the petitioner and no recovery of any type

of weapon from the conscious possession of the petitioner

and specific allegation of firing is against co-accused



Mangal Rai @ Mangla Rai and not against this petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition and he is in judicial custody since 22.09.2023. Similarly situated co-accused Sonu Kumar has been granted bail by this Court passed in Cr. Misc. No. 12609 of 2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner 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 learned Add. Chief Judicial Magistrate-14, Patna in connection with Phulwari Sharif P.S Case No. 1343 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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