

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19082 of 2024**

Arising Out of PS. Case No.-244 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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Avinash Kumar Garg @ Sonu S/O Shyam Kumar Thakur R/O Raghauli, P.S.-
Bisfi, District-Madhubani, Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey
For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 394, 302, 307 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, some unknown miscreants stopped the vehicle of the informant with an intention to commit *dacoity* and opened fire upon the brother-in-law of the informant due to which he succumbed to fire arm injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Neither the petitioner is named in F.I.R. nor anything incriminating has been recovered from his conscious possession. His name sprang up



during investigation of this case. He has falsely been implicated in this case. Moreover, similarly situated several co-accused persons have already been granted bail by this Court. Moreover, the petitioner is languishing in judicial custody since 07.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail, after framing of charge, if not framed, in connection with Sadar P.S. Case No. 244 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge III, Darbhanga.

(Sunil Kumar Panwar, J)

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