

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22859 of 2024

Arising Out of PS. Case No.-481 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

MUKESH KUMAR @ MUKESH SAH S/O JAILAL SAH @ JAI MANGAL
SAH R/O VILLAGE- BISHUNPUR GIDHA, P.S- MANIYARI, DISTT.-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sadar P.S. Case no.481 of 2023 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, as a result of indiscriminate firing resorted to by the accused persons, it is stated that the husband of the informant who made an attempt to escape was shot and fell down injured. The accused escaped.

4. Learned counsel for the petitioner submits that the petitioner is not the assailant of the deceased. He is in custody since 24.5.2023. The earlier application for bail of the petitioner was rejected vide order dated 20.12.2023 passed in Cr. Misc.



no.68971 of 2023 giving liberty to the petitioner to renew his prayer for bail after framing of charge. Learned counsel referring to the statement made in paragraph no.6 of the petition together with the photocopy of the certified copy of the order dated 9.1.2024 passed in Sessions Trial no.945 of 2023, it is submitted that charge has been framed against the petitioner in the learned trial Court on 9.1.2024. As such, he be enlarged on bail. He undertakes to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody since 24.5.2023, the observation given in the earlier order of rejection dated 20.12.2023 and charge having been framed against the petitioner on 9.1.2024 as is evident from the order dated 9.1.2024 (Annexure-3) passed in Sessions Trial no.945 of 2023, the Court directs the petitioner to be enlarged on bail in connection with Sadar P.S. Case no.481 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

