

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27898 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- HALSI District- Lakhisarai

Muskan Kumari Daughter of Ranjit Vishwkarma Resident of Village - Dhira,
P.S.- Halsi, District - Lakhisarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate
For the Opposite Party/s : Mr.Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Halsi
P.S. case No. 209 of 2023 instituted for the offences under
Sections 341, 302, 120B/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution case, in short, is that all the FIR named
accused persons, variously armed, assaulted the father of the
informant. It is further alleged that co-accused Bittu Yadav and



Santosh Kumar assaulted with weapons and fired on the father of the informant due to which he sustained injuries and died.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has transpired during investigation only on the basis of the confessional statement of the co-accused Santosh Kumar. There is no specific allegation leveled against this petitioner. The specific accusation of firing on the deceased is attributed to co-accused persons Bittu Yadav and Santosh Kumar. The co-accused person has already been granted bail by this Court vide order dated 20.03.2024 passed in Cr. Misc. No. 20946 of 2024. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.09.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no direct allegation, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the 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 Court below/concerned Court in connection with Halsi P.S. case No. 209 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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