

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27465 of 2024

Arising Out of PS. Case No.-45 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

Ashok Kumar @ Ashok Sah Son of Daroga Prasad Resident of Village-
Gamhari, P.S. Baikunthpur, Distric-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Raj, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Baikunthpur PS Case No. 45 of 2022, dated 12-02-2022
instituted for the offence punishable under Sections 394 and
302 of the Indian Penal Code and Section 27 of the Arms AcT.

3. As per the prosecution case, the informant received
a call from unknown number at Rajapati that one CSP owner
has been shot by some unknown persons and looted away his
money. Further, the informant reached hospital and found his
brother, namely, Ram Narayan Singh @ Galedu Singh dead.
Thereafter, the informant lodged an FIR against two unknown
persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has been falsely implicated in this



case. It is submitted that FIR has been lodged against two unknown persons. The name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Arjun Kumar @ Baheliya. Further, there is no eye witness of the occurrence. It is submitted that similarly situated co-accused persons, namely, Bhagwan Kumar Yadav @ Bhagwan Ray and Deepak Kumar have been granted bail by a Co-ordinate Bench as well as by this Court *vide* orders dated 27-04-2023 and 15-05-2023, passed in Cr. Misc. Nos. 70964 of 2022 and 12073 of 2023. Lastly, it is submitted that having no criminal antecedents, the petitioner is in custody since 03-10-2023.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Gopalganj, in Baikunthpur PS Case No. 45 of 2022.

(Khatim Reza, J)

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