

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31365 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- RAJPUR District- Buxar

Shivam Pathak Son Of Sri Jitendra Pathak Resident Of Village- Gidhara, Ps-
Rajpur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kumar Pandey
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rajpur
P.S. Case No. 194 of 2023 instituted for the offences under
Section 394 of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per prosecution case, four unknown miscreants



boarded on motorcycle tried to loot the informant on the point of pistol. On protest, they assaulted the informant and opened fired upon the informant which hit below the right elbow of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light merely on the basis of suspicion. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. Charge-sheet has been submitted in this case. The petitioner has been remanded in this case from another case on 23.06.2023 and since then he is in judicial custody and has five criminal antecedents.

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

6. Considering the facts and circumstances of the case as well as 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 Rajpur P.S. Case No. 194 of 2023.

(Rudra Prakash Mishra, J)

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