

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23427 of 2024

Arising Out of PS. Case No.-442 Year-2023 Thana- KADAMKUAN District- Patna

Amit Sagar Son of Late Naresh Ram Resident of Mohalla- Naya Tola,
Dharahara Kothi, P.S.- Kadamkuan, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 23878 of 2024

Arising Out of PS. Case No.-442 Year-2023 Thana- KADAMKUAN District- Patna

Md. Amir Ali Son Of Md. Ikram Resident Of Bari Masjid, P.S. - Alamganj,
District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 30705 of 2024

Arising Out of PS. Case No.-442 Year-2023 Thana- KADAMKUAN District- Patna

Md.Shahzadhussain @ Md .shahzad Hussain @ Natu Son Of Md.
Jawedhussain @md. Jawed Hussain Resident Of Village- Lodi Katra, Patna
City, P.S.- Khajekalan, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 23427 of 2024)

For the Petitioner/s : Mr.Rakesh Dubey
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia
(In CRIMINAL MISCELLANEOUS No. 23878 of 2024)
For the Petitioner/s : Mr.Shakil Ahmad Khan
For the Opposite Party/s : Mr.Raj Kishor Singh
(In CRIMINAL MISCELLANEOUS No. 30705 of 2024)
For the Petitioner/s : Mr.Pramod Kumar
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP for

the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Section 302 of the Indian

Penal Code and Section 27 of Arms Act.

It is a case of commission of murder of nephew

by opening fire by unknown persons due to which he

succumbed to injuries during the course of treatment.

It is submitted by learned counsel for the

petitioners that the petitioners are innocent and they

have committed no offence. They have falsely been

implicated in the present case. Neither the petitioners

are named in F.I.R. nor anything incriminating has been

recovered from their conscious possession. There is no eye witness of the alleged offence. The name of Amit Sagar (petitioner in Cr. Misc. No. 23427 of 2024) sprang up in this case on the basis of confessional statement of Md. Belal. Moreover, the petitioners are languishing in judicial custody for more than six months. Similarly situated co-accused Sintu Kumar has already been granted bail vide order dated 01.02.2024, passed in Cr. Misc. No. 84190 of 2023 by this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case *as well as period of custody*, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Kadamkuan P.S. Case No. 442 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount

each to the satisfaction of the learned Additional District
& Sessions Judge XIII, Patna/concerned court.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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