

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38125 of 2024

Arising Out of PS. Case No.-913 Year-2023 Thana- RUPASPUR District- Patna

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Bidyanand Kumar @ Bidyanand @ Oth Katwa Son of Late Keshwar Prasad
R/o vill.- Visharpur (Bisarpur), P.S.- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Adv

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rupaspur P.S. Case No. 913 of 2023 dated 11.11.2023 registered for the offences punishable u/s 302/120(B) read with section 34 of the I.P.C. and Section 25(1-b) a/26/35 of the Arms Act.

3. As per the prosecution case, six unknown miscreants boarded on two motorcycles made indiscriminate firing on the vehicle resulting injury to the informant's son, *Alok Kumar*. The informant rushed to the hospital, where the informant's son was declared dead.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner was disclosed by the co-accused person. There is nothing on record except confessional statement of the co-accused which has no evidentiary value. No T.I.P has been conducted by the prosecution. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 30.04.2024 passed in Cr. Misc. No. 30247 of 2024. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 29.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, in connection with Rupaspur P.S. Case No. 913 of 2023, with a condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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