

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44128 of 2024

Arising Out of PS. Case No.-397 Year-2022 Thana- BARARI District- Katihar

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Suman Kuwar Son Of Fago Kuwar Village- Bakharpur (Pirpaiti) PS- Pirpaiti,
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Barari P.S. Case No. 397 of 2022 dated 02.11.2022, lodged
under Sections 147, 148, 149, 341, 386, 302 and 120(B) of the
I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against five named and 15 unknown accused persons.
There are specific allegation against some of the named accused
persons in the F.I.R.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that the petitioner has one antecedent in which he is on
bail and he is in custody since 22.07.2023. He further submits
that the petitioner has been named in the F.I.R. in the

background of land dispute. He further submits that it has been categorically stated in bail petition that there are 9 antecedents of the deceased. He further submits that it may happens that the known enemy may have committed this offence and subsequently police have inserted his name maliciously. Moreover, as per the allegation levelled in the F.I.R., the petitioner is only the order giver.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, but only **two months after framing of charge, if not framed**, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Katihar in connection with Barari P.S. Case No. 397 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

7. With this direction, the present bail application stands allowed.

(Dr. Anshuman, J)

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