

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42783 of 2024

Arising Out of PS. Case No.-784 Year-2023 Thana- NAUBATPUR District- Patna

Shubham Kumar @ Subham @ Tantan S/o Pyarchand Saw R/o vill -
Ibrahimpur, P.S. - Naubatpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak
For the Opposite Party/s : Ms.Suman Kumari Singh

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

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Naubatpur P.S. Case No. 784 of 2023 instituted for the offences
under Sections 147, 148, 149, 323, 302, 385 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The allegation against the petitioner along with
others is of brutally assaulted and fired upon the son of the
informant leading to his death.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Informant is not an eye-witness of the alleged occurrence. Petitioner is only an order giver and there is no specific allegation against the petitioner rather the specific allegation of firing upon the informant's son is against Brajesh Kumar. There is no specific overt act alleged against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. Moreover, it is next submitted that the other co-accused has already been granted bail by this Court vide order dated 29.04.2024 passed in Cr. Misc. No. 27751 of 2024. The petitioner is in custody since 30.11.2023 and has no criminal antecedent.

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 Naubatpur P.S. Case
No. 784 of 2023.

(Rudra Prakash Mishra, J)

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