

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44349 of 2024

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

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1. Sunny Kumar Son Of Beghichand Thakur Village- Ibrahimpur, P.S.- Naubatpur, Distt.- Patna
 2. Ashok Kumar Son Of Brijnandan Ram Village- 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 : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek 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 petitioners along with others is of brutally assaulted and fired upon the son of the informant leading to his death.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. Informant is not an eye-witness of the alleged occurrence. There is general and omnibus allegation against these petitioners. There is no specific allegation against the petitioners rather the specific allegation of firing upon the informant's son is against Brajesh Kumar. There is no specific overt act alleged against these petitioners. No incriminating article has been recovered from the conscious possession of the petitioners. 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 no. 1 is in custody since 30.11.2023 and petitioner no. 2 is in custody since 22.12.2023 and they have no criminal antecedent.

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

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each 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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