

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51823 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- KARPI District- Jehanabad

Sudhir Kumar, Son of Late Jhalakdev Singh, aged about 26 years, Gender- Male, R/O- Village- Mahuabagh, P.S.- Karpi, Distt.- Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mayank Singh, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-08-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Karpi P.S. Case No. 85 of 2024 dated 20.03.2024 registered for the offences punishable under Section 302 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant's elder brother proceeded from his motorcycle to his house from his working place i.e., Petrol Pump and when he reached near *Dharamkanta* then some miscreants fired on him due to which he sustained injury. Thereafter, the injured was taken to the hospital where the doctor declared him to be dead.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is not named in the F.I.R. His name has sprung up in the present case on the basis of the confessional statement of the main accused Guddu Kumar which has got no evidentiary value in the eye of law. There is general and omnibus allegation against the petitioner. There is no overt act alleged against the petitioner. No incriminating article has been recovered from the possession of the petitioner. The petitioner used to reside outside of his native village for his livelihood. The other co-accused Deepak Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 42718 of 2024 under order dated 26.06.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 24.03.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned S.D.J.M., Arwal in connection with Karpi P.S. Case



No. 85 of 2024 with further condition:-

(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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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