

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61335 of 2024

Arising Out of PS. Case No.-259 Year-2022 Thana- GORAUL District- Vaishali

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Anand Kumar S/o Subodh Singh Resident of village - Byaschak, Ps- Goraul,
Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Adv. Mr. Rajeev Ranjan No. II, Adv. Mrs. Kumari Rupa, Adv.
For the Opposite Party/s :		Mr. Raj Kishor Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable under Sections 302, 120B, 506, 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegedly, the petitioner is said to have been involved in the murder of the son of informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The only allegation levelled against the petitioner is that he was active in the alleged occurrence and facilitated



the circumstances. It is further submitted that the petitioner is not named in the FIR, rather his name transpired in the present case on the basis of confessional statement of apprehended co-accused namely, Prabhat Kumar against whom there is specific allegation to open fire upon the informant's son due to which he died on the spot. He further submits that the mother of the deceased was also present at the spot but she has not disclosed the name of the petitioner. Learned counsel further submits that the petitioner has one criminal antecedent and he is in custody since 20.06.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner and his name has been transpired in the present case merely on the basis of the confessional statement of the apprehended co-accused Prabhat Kumar, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Goraul P.S. Case no. 259 of 2022.

7. Petitioner is directed to cooperate in the trial. If the



petitioner fails to appear before the learned Court below on the two consecutive dates on the date fixed in the case, the prosecution will be at liberty to file an application for cancellation of bail bond of the petitioner before the learned Court below.

(Anjani Kumar Sharan, J)

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