

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66163 of 2024

Arising Out of PS. Case No.-484 Year-2023 Thana- KOILWAR District- Bhojpur

Om Prakash @ Om Kumar Son of Ram Ayodhya Ray Residence of Village-
Sakaddi P.S. Koilwar District- Bhojpur Ara Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Prasad, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Koilwar (Gidha OP)
P.S. Case No. 484 of 2023, instituted for the offences punishable
under Sections 307/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. The prosecution case, in short, is that, on the
alleged date of occurrence, two unknown miscreants came at the
gate of the informant's house, in the meantime, one of them
made three bullet firing in order to kill the informant and,
thereafter, the accused persons fled away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no injury has been caused to the informant. The petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of self-confession of the petitioner which has got no evidentiary value. The petitioner is in custody since 08.02.2024 and has got three criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 31.07.2024 passed in Cr. Misc. No. 40666 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Koilwar (Gidha OP)
P.S. Case No. 484 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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