

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61005 of 2024

Arising Out of PS. Case No.-281 Year-2022 Thana- BACHHWARA District- Begusarai

Sumit Kumar @ Murli Son of Late Ajay Kumar Chaudhary Resident of
Village- Fateha Ward No- 3, PS- Bachhwara, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Mritunjay

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

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

3. As per the prosecution case, when the informant
was sitting on his readymade cloth shop, the petitioner along
with other co-accused persons came to his shop armed with
pistol and fired upon his son as a result of which his son died.

4. Learned counsel for the petitioner submits that
no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. There is nothing in the record



indicating the complicity of the petitioner in the occurrence barring confessional statement of the co-accused, namely, Prabhat Kumar @ Vansilal which has no evidentiary value in the eye of law. He submits that there is specific allegation against co-accused Kanhaiya Choudhary. The petitioner has one criminal antecedent and has been languishing in custody since 29.05.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid and there is no specific overt act against the petitioner, 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 Bachhwara P.S. Case No. 281 of 2022.

(Anjani Kumar Sharan, J)

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