

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65746 of 2023

Arising Out of PS. Case No.-117 Year-2022 Thana- ISMAILPUR District- Bhagalpur

ANKIT KUMAR SON OF LATE SHANKAR THAKUR RESIDENT OF
VILLAGE- SAHEBGANJ, PS- NATHNAGAR, (LALMATHIYA), DISTT-
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302, 120B
and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioner and co-accused
persons is that they committed murder of the informant's brother
by making firearm injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner has no concern with the alleged occurrence rather he
was seen fleeing from the place of occurrence and due to which
he has falsely been implicated in this case. Nothing consistent



material has come against the petitioner except so- called confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. Informant is not the eye witness of the alleged occurrence. Similarly situated co-accused has already been granted bail by this Court vide order dated 28.11.2023 passed in Cr. Misc. No. 53990 of 2023. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 11.10.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ismailpur P.S. Case No. 117 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-III, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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