

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65149 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- CHAKIA District- East Champaran

Rakshit Shrivastava Son Of Subodh Kumar @ Subodh Kumar Shrivastava
R/O Mohalla - Bhag Nagar, P.S. - Kalyanpur, Distt. - East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 394 of the Indian Penal Code.

The prosecution case in nutshell is that while the informant along with his son was going on motorcycle, 3 miscreants on a motorcycle stopped the informant and one of the miscreant fired due to which informant sustained gun shot injury in his left thigh. It is further alleged that miscreants fled away after taking



away the ornaments kept in the dickey of motorcycle. The informant also alleged that some villagers identify one of the accused namely Mukesh Yadav.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from his possession. The name of petitioner sprang up in this case on confessional statement of co-accused Golu Kumar @ Golu Sharma. There is inordinate delay of 4 days in lodging the F.I.R. Moreover, the petitioner is languishing in judicial custody since 27.03.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with Chakia P.S. Case No. 108 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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