

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71195 of 2023

Arising Out of PS. Case No.-438 Year-2022 Thana- MALSALAMI District- Patna

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Raja Kumar Son Of Sukhu Sahani @ Suku Sahani Resident Of Village- Sati
Chaura, Sabalpur, Ps- Nadi, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 147, 148, 149, 341, 302
of the Indian Penal Code and Section 396, 412, 427 of the IPC.

3. As per allegation in the FIR, informant was gunman
in Toyota four wheeler showroom where his brother-in-law,
namely Manoranjan Kumar, was also engaged as private
security guard. On the alleged date of occurrence, 10-12
miscreants entered into the showroom to commit robbery which
was opposed by security guard Manoranjan Kumar (deceased)
and in the alleged scuffle, he received grievous injury and
during treatment, he died.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. General and omnibus allegation has been levelled against the petitioner. No one is the eye witness of the alleged occurrence. Neither the petitioner nor the recovered amount of Rs. 22,000/- were put on TIP. Recovered amount from the house of the petitioner, is her personal property. Only on the basis of confessional statement of co-worker Deepak Kumar, the name of the petitioner has been surfaced in the present case. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 3.8.2023 passed in Cr. Misc. No. 19319 of 2023. Petitioner is languishing in judicial custody since 22.09.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned



Additional District Judge-IV, Patna City, Patna in connection
with Malsalami P.S. Case No. 438 of 2022 (S.T. No. 688 of
2023).

(Sunil Kumar Panwar, J)

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