

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70057 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- SAHAJITPUR District- Saran

Ratandev Thakur Son Of Late Raghu Thakur R/O Vill - Sisai, P.S. -
Sahajitpur, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

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

3. Allegation against co-accused, namely, Chhotu Thakur is that he opened fire upon the husband of the informant due to which he sustained gun shot injury and later on he died. Allegation against this petitioner is that he had gun in his hand and he was fleeing from the place of occurrence after shouting.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute between both the parties. There is no specific allegation of firing against



the petitioner rather co-accused made fire upon the informant's husband due to which he sustained injury and later on he died. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Postmortem report does not in consonance with the prosecution version. Moreover, the petitioner is languishing in judicial custody since 21.06.2023.

5. Learned APP appearing for the state and learned counsel for the informant have 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 Sahajitpur P.S. Case No. 86 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st, Saran at Chapra.

(Sunil Kumar Panwar, J)

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