

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69074 of 2023

Arising Out of PS. Case No.-156 Year-2022 Thana- PHULWARIA District- Begusarai

Raunak Kumar @ Fuchfuchiya S/O Rajeshwar Singh R/O Village Bihat, Tola
Khemkaranpur, Ps Barauni District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Jha

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, the allegation against
unknown miscreants is of firing upon the informant's brother
leading to his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. Petitioner is not named
in the FIR and the same has been lodged against unknown
persons. The name of the petitioner has come into light on the
basis of confessional statement of co-accused Yuvraj Singh,
which has got no evidentiary value in the eyes of law. There is



no specific allegation of shot firing against the petitioner and no eye-witness of the alleged occurrence. Except suspicion, no consistent evidence has come against the petitioner to show his complicity in the alleged occurrence. Neither any incriminating article has been recovered from his conscious possession nor he has been put on T.I. Parade. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 04.09.2023 passed in Cr. Misc. No. 57592 of 2023. He is languishing in judicial custody since 22.10.2022.

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 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 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 A.C.J.M.-I, Begusarai in connection with Phulwariya P.S. Case No. 156 of 2022.

(Sunil Kumar Panwar, J)

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