

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68142 of 2023

Arising Out of PS. Case No.-244 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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SHUBHAM KUMAR SON OF SHIV SHANKAR THAKUR RESIDENT
OF VILLAGE - BHATUL, P.S. - NANPUR, DISTRICT - SITAMADHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 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 394, 302 and 307 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, some unknown miscreants
stopped the vehicle of the informant with an intention to commit
dacoity and killed the brother-in-law of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. 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 Avinash Kumar Garg, which has got no evidentiary



value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. Except confessional statement and C.D.R. location of the mobile, there is no consistent evidence has come against the petitioner to show his complicity in the alleged occurrence. He is languishing in judicial custody since 01.08.2023.

5. The application for bail is opposed by learned APP for the State and submitted that the C.D.R. location of the petitioner's mobile show his complicity in the alleged occurrence.

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., Darbhanga in connection with Sadar P.S. Case No. 244 of 2023.

(Sunil Kumar Panwar, J)

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