

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68118 of 2023**

Arising Out of PS. Case No.-444 Year-2023 Thana- AHYAPUR District- Muzaffarpur

Vishal Pandey Son Of Mr. Rajesh Pandey Resident Of Village- Bakhri Tarma,  
Ps- Ahiyapur, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      08-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in a case registered  
for the offence punishable under Sections 394 and 302 of the  
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the allegation against three  
unknown miscreants is that they boarded on a pulsar motorcycle  
motorcycle came at the grocery shop of the informant's nephew  
namely Nilesh Raj and shot him and also looted Rs. 1.5 lacs cash  
and two mobiles. It is further alleged that during course of  
treatment his nephew was declared dead.

4. Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has been falsely implicated in this case. The petitioner  
is not named in the F.I.R. which has been lodged against three



unknown persons. During investigation, the name of the petitioner has surfaced on the basis of his confessional statement and spy and the fact came into light that petitioner was present at the time of occurrence but there is no specific overt act of murder of the informant's nephew against the petitioner. No consistent and cogent evidence against the petitioner which show his complicity in the alleged occurrence. Petitioner is languishing in judicial custody since 21.07.2023.

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 Chief Judicial Magistrate, Muzaffapur in connection with Ahiyapur P.S. Case No.444 of 2023.

(Sunil Kumar Panwar, J)

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