

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66291 of 2023

Arising Out of PS. Case No.-440 Year-2022 Thana- BARAUNI District- Begusarai

Keshav Kumar @ Nago S/O Ram Vinay Singh R/O Village- Bihat, Tola
Khemkaranpur, P.S- Barauni, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75612 of 2023

Arising Out of PS. Case No.-440 Year-2022 Thana- BARAUNI District- Begusarai

Sumit Kumar S/O- Bhola Chaudhary R/O- Hajipur Pipra Ps- Barauni Dist-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 66291 of 2023)
For the Petitioner/s : Mr.Hare Krishna Prasad
For the Opposite Party/s : Mr. Murlidhar
(In CRIMINAL MISCELLANEOUS No. 75612 of 2023)
For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr. Murlidhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 307, 120B/34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. It is alleged by the informant that while he was



returning from his matrimonial house, two unknown persons boarded on a motorcycle overtook him and started firing indiscriminately as a result of which, the informant sustained gunshot injuries.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to old dispute. They have committed no offence. Petitioners are not named in the FIR and their name subsequently surfaced in the present case on their self confession made in connection with Barauni (Chakiya) P.S. Case No. 438 of 2022, which has no evidentiary value in the eye of law. The petitioners are not apprehended on spot. No incriminating article has been recovered from the conscious possession of these petitioners. There is no eye-witness to the alleged occurrence and no T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 15.12.2023 passed in Cr. Misc. No. 79090 of 2023. They are remanded in the present case respectively on 09.05.2023 and 25.03.2023 and since then they are languishing in judicial custody.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Barauni P.S. Case No. 440 of 2022.

(Sunil Kumar Panwar, J)

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