

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71363 of 2023

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

1. Sonu Singh @ Mitka S/O Dilip Singh R/O Village- Sabaura, Ward No. 14, P.S- Barauni (REFINERY O.P.), Distt.- Begusarai.
2. Abhishek Kumar S/O Tuntun Sharma R/O Vill. Ratanpur, Vishanpur, Ward No. 17, P.S- Town Ratanpur O.P, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 302, 120(B)/34 of

the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, unknown miscreants

fired upon the informant's brother due to which he

succumbed to fire arm injuries.

It is submitted by learned counsel for the

petitioners that the petitioners are innocent and they



have committed no offence. They have falsely been implicated in the present case. Neither the petitioners are named in F.I.R. nor there is any eye witness of the alleged offence. Nothing incriminating has been recovered from the conscious possession of the petitioners. They have not been put on T.I.P. the name of petitioners sprang up in this case on the confessional statement of co-accused Shivam and Rishu and their self confessional statement before the police, which has no evidentiary value in the eye of law. Moreover, the petitioners are languishing in judicial custody since 27.04.2023. Similarly situated several co-accused persons have been granted bail by this Court as well as Co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Phulwaria P.S. Case No. 156 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Begusarai.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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