

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71853 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- NAYA RAM NAGAR District- Munger

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MUKUL CHANDRA BHARTI@SUMIT KUMAR@MUKUL CHAURASIA
SON OF SUBODH MANDAL @ SUBODH KR. MANDAL RESIDENT OF
VILLAGE/MUHALLA-ENGLISH PATAM, P.S.- NAYA-RAM-NAGAR,
DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Naya Ram Nagar P.S. Case no. 101 of 2023 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that he received information about his brother and his brother's wife having been shot by unknown accused persons. The informant reached the place of occurrence and took the injured to the hospital for treatment where his brother was declared dead.

4. Learned counsel for the petitioner submits that



the FIR was registered against unknown. The name of the petitioner transpired in the confessional statement of co-accused Rohit Kumar who has stated about one Sunil Kumar Chaurasia having an affair with the injured *bhabhi* of the informant. Even as per the confessional statement, the assailant is said to be Rohit Kumar alone and so far as this petitioner is concerned, he is said to have assisted in transaction/payment of money. The petitioner has no criminal antecedent and is in custody since 4.5.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the petitioner not having been described even in the confessional statement as the assailant, his not having any criminal antecedent, his being in custody for 10 months since 4.5.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Naya Ram Nagar P.S. Case no. 101 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Additional Chief Judicial Magistrate- I, Munger.

(Partha Sarthy, J)

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