

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76672 of 2023

Arising Out of PS. Case No.-701 Year-2022 Thana- SAKRA District- Muzaffarpur

Chandan Kumar S/O Sri Sahindra Sahni R/O Village- Chhittarpatti, Tole-
Konhma, P.S- Panapur O.P. Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 447, 386, 387, 307, 379 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against co-accused person is that he fired upon one Chandan Kumar who is a staff of the informant and fled from there. On the place of occurrence, a mobile phone was recovered which is said to be the petitioner's phone.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name has come on the basis of recovered



phone which is said to be the petitioner's phone at the place of occurrence. There is no any specific overt act of firing against the petitioner and also he has no concern with the alleged occurrence. So far as the recovered phone is concerned, the same was lost by the petitioner. Nothing consistent material has come against him. Moreover, he is languishing in judicial custody since 28.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sakra P.S. Case No. 701 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 12th , Muzaffarpur East.

(Sunil Kumar Panwar, J)

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