

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74881 of 2023

Arising Out of PS. Case No.-671 Year-2019 Thana- LAKHISARAI District- Lakhisarai

SURYA PRAKASH @ SATYA PRAKASH @ JHAPASH SON OF BABLU
KUMAR @ PADRI SINGH RESIDENT OF VILL- PANDARAK
SURAJPUR TOLA, P.S.- PANDARAK, DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 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 Lakhisarai P.S. Case no. 671 of 2019 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 while he was going with his brother on a Scorpio vehicle, 8 accused persons on three motorcycles of whom the informant identified Bablu Ram, Nawal Kumar, Bajrangi Yadav, Shyam Kishore Vidyarthi and Bablu Sharma besides others, resorted to indiscriminate firing as a result of which his brother sustained gunshot injuries and died in course of treatment.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the F.I.R.. He has been falsely implicated in this case in course of investigation wherein he is said to be a member of the team which resorted to firing and the job assigned to him was that of a liner. The petitioner is in custody since 10.7.2023 and charge sheet has been submitted in this case.

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

6. Having heard the learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having been named therein, the material that has transpired in course of investigation, the petitioner being in custody for more than 7 months since 10.7.2023 and charge sheet having been submitted in this case, this Court directs the petitioner to be released on bail in connection with Lakhisarai P.S. Case no. 671 of 2019 on his furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai.

(Partha Sarthy, J)

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