

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83282 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- SANDESH District- Bhojpur

BHULAWAN KUMAR @ BUTESHWAR KUMAR Son of Bhikhari Singh
@ Bhikhari Yadav R/o vill - Rampur, P.S. - Chandi, Distt. - Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

3. The prosecution case in nutshell is that on occasion of marriage of the daughter of one Binda Singh there was dance program in which informant's brother went to see the same. It is further alleged that accused persons were doing firing in the said program and when his brother tried to stop them, co-accused Dinesh Kumar @ Bithal ordered to kill him upon which co-accused Dablu Kumar @ Bablu fired upon informant's brother and co-accused Bengwa @ Balbant Kumar came there and



ordered to kill him. The accused persons fled away from there by firing and thereafter informant's brother was brought at Sadar Hospital, Ara where he declared dead by the doctors.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner and the specific allegation of firing is levelled against co-accused Dablu Kumar @ Bablu. The informant is not the eye witness of the alleged offence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused person has already been enlarged on bail by this Bench vide order dated 07.11.2023 passed in Cr. Misc. No.71873 of 2023. Moreover, the petitioner is languishing in judicial custody since 17.07.2023.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

6. 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 petitioner on bail. The above named petitioner is directed to be



enlarged on bail in connection with Sandesh P.S. Case No. 143 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 Chief Judicial Magistrate, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

