

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79886 of 2023**

Arising Out of PS. Case No.-466 Year-2023 Thana- BELAGANJ District- Gaya

GIRDHAR KUMAR Son of Heera Singh R/o Village - Magadh Colony, P.S.-
Magadh Medical, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 83292 of 2023

Arising Out of PS. Case No.-466 Year-2023 Thana- BELAGANJ District- Gaya

RAJESH KUMAR SHARMA SON OF LATE SHIV KUMAR PRASAD
SINGH RESIDENT OF MOHALLA- RAMNA ROAD PATIYAMA HOUSE,
P.S. CIVIL LINES, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 79886 of 2023)
For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh
(In CRIMINAL MISCELLANEOUS No. 83292 of 2023)
For the Petitioner/s : Mr.Purushottam Kumar
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 05-03-2024 Heard learned counsel for the parties.

2. Since both the Cr. Misc. petition arise same Police
Station, therefore, both Cr. Misc. petition is heard together and
disposed of by this common order.

2. The petitioners apprehend their arrest in a case
registered for the offence under Sections 307, 326, 120B, 34 of



the Indian Penal Code and Section 27 of Arms Act in which further Section 302 of the IPC has been added.

3. Allegation against the petitioners is that they along with other co-accused persons made conspiracy and hired some unknown miscreants who fired upon the son of the informant, namely, Dipu Kumar, due to which he sustained fire arm injury and died during the course of treatment.

4. It is submitted on behalf of the petitioners that they have falsely been implicated in the present case. It is also submitted that the petitioner in Cr. Misc. No.79886 of 2023 is alleged to be conspirator. Petitioner, in Cr. Misc No. 83292 of 2023, is implicated in this case only because he happens to be the Samdhi of the informant. Learned counsel for the petitioners further submits that there is no allegation of overt act against these petitioners.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest or surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Belaganj P.S. Case No. 466 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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