

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83175 of 2023

Arising Out of PS. Case No.-724 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Raja Kumar S/O LATE NARAYAN RAM VILLAGE- TAIXI STAND
POLICE LINE PS. K. HAT DIST. PURNEA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 At the outset, learned counsel for the petitioner is permitted to make necessary correction in para 13 of the petition in respect of custody date (11.08.2023).

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per prosecution case, the F.I.R. has been lodged against 4 named accused persons. It has been alleged in the F.I.R. that on the alleged date and time of occurrence the informant was sitting in his shop and in the meantime two persons came on motorcycle and fired in front of the main gate



and fled away and upon observing the CCTV footage, one Amit Kumar and one other accused person were identified.

5. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to local village politics. Neither he was arrested on the spot nor anything has been recovered from his conscious possession. There is general and omnibus allegation against the petitioner and no overt act against him. No one has injured in this case. The petitioner is not named in the F.I.R. rather his name has been transpired on the basis of confessional statement of co-accused Amit Kumar, who has already been granted bail by another co-ordinate Bench of this Court vide order dated 09.11.2023 passed in Cr. Misc. No. 70744 of 2023. Petitioner is languishing in judicial custody since 11.08.2023.

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

7. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K.Hat (Sahayak) P.S. Case No. 724 of 2023.

(Sunil Kumar Panwar, J)

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