

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85468 of 2023

Arising Out of PS. Case No.-631 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Suil Kumar @ Sunil Singh @ Sunil Kumar Singh @ Pappu Singh son of Sri
Narayan Singh Resident of Village - Basatpur, P.S.- Mufassil, District - East
Chamaparan , Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.S harda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the F.I.R., the allegation against the petitioner is that he along with others has opened fired due to which informant sustained injury.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. On perusal of F.I.R., it is evident that the allegation of firing upon the informant is on co-accused Aman Kumar and Priyanshu Kumar. The injury sustained by the victim is simple in nature. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Muffasil P.S. Case No. 631 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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