

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85863 of 2023

Arising Out of PS. Case No.-76 Year-2022 Thana- SONBERSHA RAJ District- Saharsa

Gokul Kumar @ Golu Kumar S/o Sikendra Yadav @ Sikendar Yadav R/o
village-Mali, P.S-Beldour, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against unknown miscreants is that they fired upon the driver of the truck due to which he succumbed to injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused, namely, Sarjeet Kumar before the police which has got no evidentiary value in



the eye of law who has already been granted bail by another co-ordinate Bench of this Court vide Annexure-2 of this petition. No any incriminating article has been recovered from his conscious possession. Except confession, nothing consistent evidence has come against the petitioner. Moreover, he is languishing in judicial custody since 24.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sonbarsa Raj P.S. Case No. 76 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saharsa.

(Sunil Kumar Panwar, J)

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