

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85653 of 2023

Arising Out of PS. Case No.-328 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. Shekhar Kumar S/o- Ajay Kumar Vill- Kujapi, P.S.- Chandauti, District- Gaya
 2. Amit Kumar son of Late Govind Prasad Vill- Khiziawan, P.S.- Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

5 10-04-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seek bail in connection with Magadh Medical P.S. Case No. - 328 of 2023 registered for the offence under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, it is a case of recovery of a dead body of the husband of the deceased which was thrown in village- Aahar.

4. Learned counsel for the petitioners have submitted that petitioners have falsely been implicated in this case. He next submits that petitioners are not named in the FIR



and their names surfaced from the confessional statement of co-accused person. Petitioners are in custody since 26.07.2023. Similarly situated co-accused person, namely, Santosh Kumar has already been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 4438 of 2024 vide order dated 14.03.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioners, above named, be directed to be released on bail in connection with Magadh Medical P.S. Case No.328 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya.

(Ramesh Chand Malviya, J)

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