

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.302 of 2024

Arising Out of PS. Case No.-200 Year-2023 Thana- MURLIGANJ District- Madhepura

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Ashish Kumar S/o Birendra Yadav R/o- Village Tilkora Gopali Tola, PS-
Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate Ms. Pooja Prasad, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP
For the Informant	:	Mr. Ravi Bhushan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Murliganj P.S Case no.200 of 2023, registered under sections 302, 341, 342, 386, 120B, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that as a result of firing resorted to by Sunil Verma, Anil Yadav, Bauaa Yadav and Nitish Kumar, her husband sustained gunshot injuries and died. The informant further states that it transpired from the local people that other accused persons including Kunal Kumar as also the petitioner herein were



working as liners.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Even as per the FIR, no overt-act is alleged against him. He is in custody since 29.5.2023 and co-accused Kunal Kumar has been enlarged on bail vide order dated 24.1.2024 passed in Cr. Misc. no. 919 of 2024. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that besides the petitioner being named in the FIR, there is direct allegation against him that it was at his instance that the accused persons resorted to firing.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR wherein no overt-act is alleged against the petitioner, his having remained in custody for 9 months since 29.5.2023 and grant of bail to the similarly situated co-accused Kunal Kumar, the petitioner is directed to be enlarged on bail in connection with Murliganj P.S Case no.200 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Madhepura.

(Partha Sarthy, J)

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