

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58211 of 2025

Arising Out of PS. Case No.-271 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bhushan Kumar kushwaha Son of Yogi lal prasad Ressident of Vill- Farika
Tola, P.S. - Muffasil Motihari, Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 05-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 341, 342, 324, 307, 34 of
the Indian Penal Code.

3. The allegation in the first information report is
that the F.I.R. was lodged against three unknown persons who
came at the door of the informant and resorted to firing which
caused injury to the brother of the informant.

4. Learned counsel for the petitioner submits that
the petitioner was not named in the first information report and
his name has surfaced during the course of investigation on
account of confessional statement of co-accused. As a matter of



fact, no incriminating article was recovered from his possession nor was he put on Test Identification Parade. The petitioner has surrendered before the learned Trial Court on 22.03.2025 as he had no knowledge of the fact that he has also been made an accused in the present case. Similarly situated co-accused persons have already been granted the privilege of bail by a Co-ordinate Bench of this Court vide order dated 22.09.2022 passed in Cr. Misc. No.37379 of 2022 and vide order dated 21.09.2022 passed in Cr. Misc. No.36928 of 2022.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the first information report.

6. Taking into consideration the facts and circumstances and considering the fact that the similarly situated co-accused persons have already been granted privilege of bail by a Co-ordinate Bench of this Court and the petitioner is in custody since 22.03.2025 coupled with the fact that the investigation has ended, let the above named petitioner, be released on bail 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 C.J.M., East Champaran, Motihari/concerned Court below in connection



with Muffasil P.S. Case No. 271 of 2021 subject to condition
that:-

(i) *One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.*

(ii) *The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.*

(Soni Shrivastava, J)

anand/-

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