

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84248 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- KHAGAUL District- Patna

- 1 . Ashok Paswan son of Ramchandra Paswan Village -Nayan Chak, PS- Khagaul, Distt -Patna
2. Abhishek Kumar son of Ashok Paswan Village -Nayan Chak, PS- Khagaul, Distt -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nuzhat Perween, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-01-2025 Heard learned counsel for the petitioners and the State .

2. The petitioners pray for grant of regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and 27 of Arms Act.

3 . As per the prosecution case , on 08.02.2024 , while the brother of informant was returning his house from the market, all the accused persons including these petitioners caught his brother and fired upon him due to which he sustained



firearm injury and when he was taken to Paras Hospital for treatment, the doctor declared him dead.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case only on the basis of suspicion . Informant is not an eye witness to the alleged occurrence and has not disclosed the source of information as to how he came to know about involvement of petitioner in the alleged murder of his brother. Allegation is general and omnibus and no specific overt act has been alleged against these petitioners. Petitioners are in custody since 09.02.2024 . Chargesheet has already been submitted. Similarly situated co-accused person has already granted bail by this Court vide order dated 06.12.2024 in Cr. Misc. No. 61244 of 2024 .

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

6. Considering the aforesaid facts, period of custody and other circumstances of the case , prayer for bail of the petitioners is allowed.

7. Let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of



learned ACJM Vth Danapur in connection with Khagaul
Police Station Case No. 33 of 2024 .

(Prabhat Kumar Singh, J)

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