

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88266 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- BARIYARPUR District- Munger

Gulshan Kumar @ Chetak Mandal S/O Shreelal Mandal Village- Pairu
Mandal Tola, P.s.- Bariyarpur, District- Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deep Anshuman, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-01-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bariyarpur P.S. Case No. 77 of 2024, lodged on 07.04.2024 under Sections 363, 364, 302 and 201 of the Indian Penal Code.

3. As per the prosecution, F.I.R. has been lodged against five named accused persons, including the present petitioner. The allegation against them is that all the accused persons assaulted the informant's brother with the intent to kill him. Subsequently, the informant's brother did not return, and as a result, a case has been lodge under Section 302 of the IPC.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 03.09.2024. Counsel further submits that from a bare reading of the FIR, the main allegation has been made against four co-accused persons. However, as far as the present petitioner is concerned, it has only come that the informant received information from the villagers that the petitioner was also present at the time of the commission of the crime. Counsel further submits that the only material against the petitioner is hearsay evidence, and his name has been inserted in this case solely on that basis. Counsel further submits that charge has been framed and the case is currently at the evidence stage. He also submits that the prosecution has examined the informant as PW-1, who has not disclosed anything against the present petitioner.

5. Learned Counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not**



framed, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in connection with Bariyarpur P.S. Case No. 77 of 2024, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

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