

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3060 of 2021

Arising Out of PS. Case No.-165 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SANJEEV KUMAR S/o Chandrachur Singh Resident of Village-
Hanumangadhi, P.S.-Muffasil, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh-I

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Muffasil P.S.
Case No.165 of 2020, registered for the offence punishable
under Sections 147, 148, 149, 447, 341, 324, 307/34 of the
Indian Penal Code and section 27 of the Arms Act.

The prosecution case in short is that on 03.04.2020 while
the informant and his wife were sleeping, some body shouted if



there is Rajwa in the room and opened fire at the window which caused injury to the informant. They opened fire about ten round. Thereafter they fled away and the informant came out of his room. It is alleged that petitioner and other accused persons have committed the offence.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case due to land dispute and previous enmity. Petitioner and informant are own agnates and there is a land dispute regarding partition since long. No incriminating article has been recovered from the conscious physical possession of the petitioner. No specific overt act has been levelled against the petitioner rather the allegation against the petitioner and others is general and omnibus in nature. There is no eye-witness of the alleged occurrence. The petitioner has one criminal antecedent. In para-14 of the bail application, it is mentioned that petitioner is in custody since 12.01.2020 but learned counsel has filed supplementary affidavit dated 18.03.2020¹ in this case and stated at para-8 that the petitioner is in custody since 05.04.2020.



Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil P.S. Case No.165 of 2020.

(Anjani Kumar Sharan, J)

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