

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36898 of 2020

Arising Out of PS. Case No.-1100 Year-2019 Thana- PHULWARISHARIF District- Patna

Sanjeet Kumar @ Jaunti Son of Uday Ray, Resident of Village- Gwaltoli
Isopur, P.S.- Phulwarisharif, Distt- Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 09-04-2021 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

In this case, the petitioner is seeking regular bail in connection with Phulwarisharif P.S. Case No. 1100 of 2019 registered for offence punishable under section 307/34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation, on 21.12.2019 there was Rally/procession of Rashtriya Janta Dal and the victim was going to Anishshabad for feast. When he reached at main road of Beldar Toli, he was hit bullet by Sanjeet Kumar, who was sitting on the roof of Darshan Kumar and making indiscriminate firing. The victim was brought to Trauma Centre, AIIMS, Patna and then he could survive.

Learned counsel for the petitioner submits that for the same incident, one another case bearing Phulwarisharif P.S. Case No.1093 of 2019 was lodged by Circle Officer, Phulwarisharif on



21.12.2019 giving the names of 100 people to have ransacked and resorted firing. In that case, he was also made an accused and was granted bail. He further submits that there was no intention to hit bullet and kill the victim, it was only an incident. There was a mob, who excited to hit the bullet to the victim. At the same time, the petitioner has remained in judicial custody for about 10½ months.

Looking to the facts and circumstance of the case, let the petitioner above named be released on regular bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna/Successor Court in connection with Phulwarisharif P.S. Case No. 1100 of 2019, subject to the condition that one of the bailors of the petitioner shall be his close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below will have liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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