

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17595 of 2021**

Arising Out of PS. Case No.-66 Year-2020 Thana- MADHEPUR District- Madhubani

SAJAN KUMAR @ SAJAN KUMAR YADAV @ SAJAN YADAV S/o Late
Ram Swaroop Yadav Resident of Village- Fokchaha, P.S.- Madhepur, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
Ms. Kumari Shubham, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 07-01-2022 Heard Mr. Jitendra Kumar Bharti, learned
Advocate for the petitioner and the learned APP for the
State.

The petitioner seeks bail in anticipation of his
arrest in connection with Madhepur P.S. Case No. 66 of
2020 dated 22.04.2020 instituted for the offences under
Sections 341, 326, 307, 504 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The accusation against the petitioner is of
having opened fire along with one Pankaj Yadav but the
shot fired by Pankaj Yadav only hit the informant in his
palm.

There is a counter version of the occurrence
lodged by one Jiwachchi Devi.



The petitioner is stated to be a person of clean antecedents.

Regard being had to the nature of accusation against the petitioner of having opened fire, which may not have hit anybody, I am not inclined to grant anticipatory bail to him.

Accordingly, his prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be considered on its own merits without being prejudiced by the fact that the present petition on his behalf has not been entertained. While disposing of the bail petition of the petitioner the court below shall take into account that Pankaj Yadav, whose shot actually hit the informant has been granted bail by the court below.

(Ashutosh Kumar, J)

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