

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11427 of 2022

Arising Out of PS. Case No.-318 Year-2019 Thana- BARH District- Patna

Saurav Kumar Son Of Satish Singh @ Chhato Singh Resident Of Village-
Nauranga Jalalpur, P.S. Maranchi (PANCHMAHLA O.P.), District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmod Kumar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Barh P.S. Case No. 318 of 2019 registered for the alleged offences under Sections 147, 148, 149, 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the petitioner and other co-accused persons came to the shop of informant and they were variously armed. They opened fire and the informant received five gun shot wounds. Co-accused Ravi Kumar was apprehended from the spot. Occurrence took place in the back



ground of demand of Rs. 2,00000/- as extortion money from the informant by co-accused Dilip Singh who is stated to have opened the fire first.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Co-accused Ravi Kumar has been granted bail vide order dated 06.11.2019 passed in Cr. Misc. No. 68705 of 2019 and another co-accused Mountan Kumar has been granted bail by a Coordinate Bench in Cr. Misc. No. 85919 of 2019. Learned counsel further submits that main assailant Dilip Singh has been granted bail by another Coordinate Bench vide order dated 08.02.2022 passed in Cr. Misc. No. 59628 of 2021. Learned counsel further submits that only one injury has been found on the informant so the allegation of firing by petitioner and other co-accused persons is falsified. Charge sheet has been submitted in this case and the petitioner is in custody since 23.09.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submissions made on behalf of the parties and considering the fact that allegation against the petitioner and other co-accused persons are general and omnibus and further considering the grant of bail to the similarly placed



co-accused persons and considering the submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Barh in connection with Barh P.S. Case No. 318 of 2019, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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