

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40820 of 2021**

Arising Out of PS. Case No.-1 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

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ROHIT KUMAR S/O MANTU YADAV RESIDENT OF VILLAGE
-SAHEBGANJ, P.S-UNIVERSITY, DISTRICT-BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Pranav Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 05-01-2022 The matter has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail in Sessions Trial No. 329 of 2021, arises out of Akbarnagar P.S. Case No. 01 of 2021, disclosing offence punishable under Section 307 and other allied Sections of the Indian Penal Code and Sections 27, 25(1-B)a, 26 and 35 of the Arms Act.

An employee of a petrol pump is the informant, who has alleged in the FIR that the petitioner and other persons named in the FIR had refused to pay money after refilling fuel



in their *Apache* motorcycle. They are said to have assaulted the informant. There is allegation that co-accused Saurav Kumar opened fire with a country-made pistol. Admittedly, no one sustained injuries. He was apprehended by the said employee of the petrol pump station, who is said to have disclosed the name of the petitioner also as one of his accomplices.

Learned counsel appearing on behalf of the petitioner has submitted that nothing was admittedly recovered from the petitioner's possession and he has been implicated only on the basis of so called disclosure made by a co-accused. The petitioner is in custody since 03.01.2021.

Considering the nature of accusation and the petitioner's period of incarceration, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additinoal Sessions Judge-IV, Bhagalpur in Sessions Trial No. 329 of 2021, arising out of Akbarnagar P.S. Case No. 01 of 2021.

(Chakradhari Sharan Singh, J)

Rajesh/-

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