

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44458 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

SHIVAM KUMAR Son of Manoj Sah @ Manoj Kumar Sharma Resident of
Village - Katghar, P.S. - Mojahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 147, 148, 149, 323, 341 and 504 of the Indian Penal Code and sections 3, 4 and 5 of the Explosive Substance Act.

As per the prosecution case, it is stated that over a trivial dispute the four named accused persons including the petitioner herein as also seven unknown accused persons came armed with hockey stick, bomb etc. They hurled bomb as a result of the which the informant and others were injured.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. There is case and counter case between the parties. The



injury report of Aman Kumar has been brought on record and the injuries have been found to be simple in nature. The opinion with respect to one of the injuries has been reserved. The allegations are general and omnibus in nature. The petitioner is in custody since 13.2.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Mojahidpur P.S. Case no. 40 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur.

(Partha Sarthy, J)

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