

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13821 of 2023

Arising Out of PS. Case No.-186 Year-2017 Thana- DARAUNDA District- Siwan

Sarbjeet Kumar @ Sarvjeet Kumar Singh @ Sanjay Singh Son of Nirbhay Kumar Singh Resident of Village- Sherpur, P.S.- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 11-07-2023 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on the alleged date and time of occurrence, while the informant and his uncle Kameshwar Singh were returning home and reached near PACS godown near Jalalpur, all the FIR named accused persons intercepted them on the point of pistol. When the informant tried to escape then co-accused Kalyan Yadav fired on him, but fortunately he did not get firearm injury. Co-accused Lali Yadav and Nanhe Yadav fired upon his uncle Kameshwar Singh who died on the spot. It is further alleged that co-villager Dinesh



Singh saw the alleged occurrence.

According to informant who claims to be eye-witness of the occurrence, it is the FIR named persons who committed the offence. Petitioner is not named in FIR. Name of petitioner transpired during course of investigation on the basis of confessional statement of co-accused Harendra Yadav. Specific allegation of causing death of the deceased is against other co-accused persons. Petitioner claims clean antecedents.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Siwan in connection with Daraunda (MH Nagar) P.S. Case No. 186 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

