

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8192 of 2023**

Arising Out of PS. Case No.-224 Year-2022 Thana- SAUR BAZAR District- Saharsa

Sanjeev Kumar @ Hitlar Yadav @ Sandip Kumar @ Hitlar S/O Devan Yadav
R/O Village- Sahuriya Purvi, P.S.- Sour Bazar, Distt- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sour Bazar P.S. Case No. 224 of 2022 registered under sections 147, 148, 302, 149, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in short, is that, all the accused persons including this petitioner started indiscriminate firing upon the son of the informant and the accused persons, namely Manish Kumar and Deepak Kumar caught the collar of her son and Manish Kumar fired at the chest of her son due to which he succumbed to injury.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that there is no specific allegation against the petitioner rather the specific overt act of firing upon the deceased is against co-accused person, namely, Manish Kumar. It is also submitted that there was no recovery of any sort of arms and ammunition from the conscious possession of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 25.06.2022. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 17.02.2023. in Cr. Misc. No. 64012 of 2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sour Bazar P.S. Case No. 224 of 2022 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 Judicial
Magistrate 1st Class, Saharsa.

(Sunil Kumar Panwar, J)

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