

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13912 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- RASULPUR District- Saran

SANJAY KUMAR MALI Son of Kashi Mali R/V- Panchvenda, P.S- Asaon ,
Dist- 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. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307/34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, when the informant was walking in front of her house, in the meantime, FIR named accused persons came on motorcycle and co-accused Saravjeet Mali shot fire at the stomach of informant due to which she sustained injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in the present case on the basis of confession made



by co-accused namely, Sarvajeet Mali upon whom the specific allegation of firing has been made. Except confessional statement of co-accused, no any consistent evidence has come against the petitioner during course of investigation. It is further submitted that the petitioner is languishing in judicial custody since 16.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rasulpur P.S. Case No. 263 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, dist-Saran.

(Sunil Kumar Panwar, J)

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