

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21469 of 2023

Arising Out of PS. Case No.-171 Year-2022 Thana- KASIMBAZAR District- Munger

SAURABH KUMAR @ SAURABHI Son of Amarendra Yadav @ Ambe
Yadav Resident of Village - Adampur, P.S.- Nayaramnagar, District - Munger
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kasim Bazar P.S. Case no. 171 of 2022 registered under sections 307, 341 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that three accused persons each on two motorcycles confronted the informant. As a result of firing resorted to by the accused Amarjit Yadav, Dharamvir Yadav and Golki @ Sushant Yadav, the informant sustained gun shot injuries. It is further stated that the other accused persons also resorted to firing.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. His name transpired in course of investigation and the prosecution is trying to implicate the petitioner on the basis of his own confessional statement made before police. Neither any incriminating article has been recovered from the



petitioner's possession or consequent to his so called confession before police nor there is any specific allegation of firing against him. The petitioner is in custody since 26.6.2022 and chargesheet has been submitted in the case.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made, the contents of the order of the learned trial court rejecting the application for bail of the petitioner, the specific allegation of firing injuring the informant being on the above named three accused and not the petitioner herein, the petitioner being in custody for 10 months since 26.6.2022, investigation in the case having been completed and even charge having been framed in the learned trial court on 2.12.2022, the petitioner is directed to be enlarged on bail in connection with Kasim Bazar P.S. Case no. 171 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 Addl. Sessions Judge II, Munger.

(Partha Sarthy, J)

Spd/-

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

