

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30124 of 2023**

Arising Out of PS. Case No.-161 Year-2018 Thana- KHARIK District- Bhagalpur

Sintu Yadav, Son of Mahendra Yadav @ Mahendra Prasad Yadav, Resident of
Village-Naya Tola, Bhawanpura, PS-Kharik, Dist-Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 07-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Kharik P.S. Case No.161 of 2018 registered for the
offences punishable under Sections 307 and 504 read with 34 of
the Indian Penal Code as well as Section 27 of the Arms Act.

The accused/petitioner is named in the FIR and is
in custody since 25.10.2021.

Allegation against the petitioner is to open fire
upon informant along with other co-accused persons having
intention to cause death.

It is submitted by learned counsel that the
allegation of firing is general and omnibus against this
petitioner, where apparently, no injury caused to the informant.
It is submitted that petitioner has been falsely implicated with



present case out of his criminal antecedents, as he found involved in eleven more criminal cases. It is also submitted that the allegation of firing is very much general and omnibus against petitioner, causing no injury and considering the said fact only, one of the co-accused Pappu Yadav has already been granted bail by one of the learned co-ordinate Bench of this Court vide order dated 23.06.2021 as passed in Cr. Misc. No.6909 of 2021. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for grant of bail to the petitioner.

In view of above-mentioned facts and circumstances and by taking note of fact as allegation of firing is appearing very much general and omnibus against the petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 25.10.2021, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge at



Naugachia, Bhagalpur in connection with Kharik P.S. Case
No.161 of 2018, subject to the conditions as laid down under
Section 437(3) of the CrPC

(Chandra Shekhar Jha, J.)

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