

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48375 of 2023

Arising Out of PS. Case No.-90 Year-2022 Thana- NTPC District- Patna

SUMIT KUMAR @ JELAR YADAV SON OF LATE HARE RAM YADAV
@ LATE HARIRAM PRASAD RESIDENT OF VILLAGE- CHAPERATAR,
P.S.- PANDARAK, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 08-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with N.T.P.C. P.S. Case No. 90 of 2022 dated 20.8.2022 registered for the offence punishable u/s 341, 323, 448, 307, 506 read with section 34 of the Indian Penal Code and 27 of the Arms Act.
4. As per the prosecution case, eight unknown miscreants are alleged to have assaulted the informant. Further, one of the miscreants fired on the informant which hit the right



side of his chest.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the basis of self-confessional statement of the petitioner. No TIP has been conducted by the prosecution. The petitioner is accused in 10 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.4.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Barh, Patna in connection with N.T.P.C. P.S. Case No. 90 of 2022 with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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