

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71978 of 2022**

Arising Out of PS. Case No.-508 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Sanni Mishra @ Sourabh Kumar Mishra Son of Manoj Kumar Mishra
Resident of Mohalla- Vikram- Shila Colony, P.S.- Tilka Manjhi in the District
of Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

3 19-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Kotwali
(Barari) P.S. Case No. 508 of 2022 registered for the offence
under Sections 147, 148, 149, 323, 307 and 504 of the Indian
Penal Code and under Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.07.2022.

The allegation against the petitioner is to cause
firearm injuries to informant/injured on his chest during the



course of occurrence, which arises out property disputes.

Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely in this case. It is submitted that from the face of the F.I.R. itself, it appears that firing was not made intentionally by this petitioner to cause death of the informant/injured. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail submitted that allegation of firing is specific against this petitioner.

Considering the facts and circumstances as mentioned above, as narration of F.I.R. authored by informant/injured not suggesting that firing was made by this petitioner with intention to cause death coupled with the fact that petitioner is in custody since 18.07.2022, where charge-sheet has already been submitted, accordingly, the petitioner, above named, is directed to be released on bail in connection with Kotwali (Barari) P.S. Case No. 508 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 learned Chief Judicial Magistrate,
Bhagalpur/concerned court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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