

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77764 of 2023

Arising Out of PS. Case No.-334 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Sudhir Kumar @ Sudhir Yadav Son Of Rajendra Yadav R/O Village - Saini
Tola, Simari Bakhtiyarpur, P.S.- Bakhtiyarpur, Dist.- Saharsa.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 307, 324, 341/34 of
the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in nutshell is that while the
informant along with one Ram Kailash Sah was returning
home, six miscreants including the petitioner started
indiscriminate firing upon them due to which informant
sustained gunshot injury in high right thigh and Ram



Kailash Sah sustained 2 gun shot injuries in his thigh and below the knee.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is inordinate delay of 8 days in lodging the F.I.R. There is general and omnibus allegation against the petitioner as such is not clear that firing done by which of the six miscreants. The injury sustained by the injured persons are simple in nature, as opined by the doctor. Moreover, the petitioner is languishing in judicial custody since 19.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with Bakhtiyarpur P.S. Case No. 334 of 2023 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 A.D.J. II, Saharsa.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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