

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79546 of 2023

Arising Out of PS. Case No.-340 Year-2022 Thana- KUMAR KHAND District- Madhepura

SANTOSH KUMAR SON OF CHANDRA KISHORE YADAV R/O
VILLAGE- RAHTA, P.S.- KUMARKHAND, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, while the informant was going to visit fair on the occasion of Durga Puja and reached near Rahta Chowk, the petitioner along with others surrounded him and started to hurl abuses. Further, co-accused Raja Kumar opened fire and the bullet went ahead, piercing his ear as a result of which, informant fell down on the gourd.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He was



only member of mob due to which he has falsely been implicated in this case. From perusal of FIR, the specific overt-act of firing is against co-accused Raja Kumar. General and omnibus allegation against this petition. The petitioner has got no criminal antecedent and languishing in judicial custody since 15.7.2023. Similarly situated co-accused Kehsav Kumar has already been enlarged on bail by this Court vide order dt. 2.12.2023 passed in Cr. Misc. NO. 61815 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Kumarkhand P.S. Case No. 340 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhepura.

(Sunil Kumar Panwar, J)

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