

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7719 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- SAHARSA SADAR District- Saharsa

PRASHANT KUMAR @ FANTUSH @ FANTUSH KUMAR Son of Anil Prasad Yadav Resident of Village-Sahugadh (Goriyari), P.S.-Madhepura, District-Madhepura. At present Residing at Village-Haripur, Ward No.-13, P.S.-Salkhua, Dist.-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, the petitioner along with other co-accused persons are alleged to have committed firing on account of rivalry between two groups in which one of the co-accused namely, Saurav Lala received bullet injury.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. Neither the petitioner was arrested on the spot nor



any incriminating article has been recovered from his conscious possession or his house. The allegation of opening fire levelled against the petitioner is not specific rather general and omnibus in nature. He has been made accused in this case on the basis of confessional statement of co-accused Saurav Lala and other accused persons. Save and except, this confessional statement, no cogent material has found against the petitioner. Petitioner is languishing in judicial custody since 19.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-III, Saharsa in connection with Saharsa Sadar P.S. Case No. 245 of 2023.

(Sunil Kumar Panwar, J)

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