

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11330 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Saurabh Kumar Son of Rahul Kumar Yada v @ Rahul Kumar @ Kunwar
Resident of Village- Gadhiya, P.S. Bangaon, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27477 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Vivek Kumar @ Vivek Yadu Vanshi @ Vivek Yeduvanshi S/O Janardhan
Yadav @ Janardan Yadav R/O Village - Shahpur, Ward No 5, P.S. - Saharsa
Sadar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11330 of 2024)

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Ram Naresh Ray

(In CRIMINAL MISCELLANEOUS No. 27477 of 2024)

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Saharsa Sadar P.S. Case No. 206 of 2023 registered for the
offence under Sections 147, 148, 149, 302, 120(B) of the IPC



and Sections 25(1-B)a, 26, 35, 27 of Arms Act.

3. As per prosecution case, it is alleged that the FIR named accused persons along with other unknown shot dead the prisoner Prabhakar Kumar in court premises.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Although the petitioners are named in the FIR, they were not apprehended on spot. Their names were disclosed by co-accused Alok Kumar. No any incriminating article has been recovered from conscious possession of the petitioners. It is further submitted that the petitioners are languishing in judicial custody since 3.4.2023. Other co-accused Himanshu Kumar @Lalu Yadav has already been enlarged on bail by this Court vide order dt. 6.12.2023 passed in Cr. Misc. No. 77371 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 period, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Saharsa Sadar P.S. Case No. 206 fo



2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each
with two sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge-II, Saharsa.

(Sunil Kumar Panwar, J)

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