

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15384 of 2024

Arising Out of PS. Case No.-115 Year-2020 Thana- KURSAILA District- Katihar

Sanoj Yadav @ Saroj Yadav, aged about 27 years, Male Son of Anil Yadav,
Resident of Village and PO Sadhua Police Station Rangra OP, District –
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kursela PS Case No. 115 of 2020 instituted for the offences
punishable under Sections 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the prosecution case, some unknown
miscreants fired some shots and fled away from the place of
occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. Petitioner is not named in the FIR. Nothing has been
recovered from the conscious possession of the petitioner.



Petitioner is not arrested at the spot and no offence is made out against the petitioner. Except the confessional statement of co-accused before the police there is nothing on record to show the complicity of the petitioner. Petitioner is in judicial custody since 20.07.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-III, Katihar dated 28.11.2023, it appears that petitioner is not named in the FIR and his name transpired in this case on the basis of confessional statement of co-accused before the police. From perusal of the entire records, it is stated that there is no any specific allegation of any overt act against the petitioner and no any injury caused to the victim, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Kursela PS Case No. 115 of 2020.

(Ramesh Chand Malviya, J)

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