

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13152 of 2024

Arising Out of PS. Case No.-404 Year-2023 Thana- SAUR BAZAR District- Saharsa

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Laltu Kumar S/O- Late Vinay Yadav @ Late Vinay Prasad Yadav R/O-
Village- Morkahi, Ward No.- 03, P.S.- Sourbazar (Pastpar O.P.), Dist.-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv.

For the Opposite Party/s : Mr.Anish Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Sourbazar P.S. Case No. 404 of 2023 instituted for the

offences under Sections 302, 506/34, 120(B) of the Indian

Penal Code and Section 27 of the Arms Act.

3. The accusation against the accused persons

including the present petitioner is of firing on the chest of

the Informant due to which he sustained grievous gun-shot

injury. Thereafter, he was taken to Medical College,

Madhepura for treatment where in course of treatment, he

died.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Both the parties are co-villager and both are knowing to each other. There is no specific and direct allegation against the petitioner rather the same is general and omnibus. The specific allegation of gun-shot firing is on co-accused Sintu Kumar. The petitioner is a disabled person. The petitioner has neither assaulted the deceased nor had caught hold the deceased. There is no eye-witness to the occurrence and the Informant is also not the eye-witness. The postmortem report also shows that there is also only one gun-shot injury to the deceased. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 20.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of



the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Sourbazar P.S. Case No. 404 of 2023.

(Rudra Prakash Mishra, J)

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