

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16391 of 2024

Arising Out of PS. Case No.-372 Year-2022 Thana- BYPASS District- Patna

Sethi Kumar @ Seti Kumar @ Sandeep Kumar @ Sarkar Son of Late Ashok
Mahto Resident of Jaipur Dhanuki Tole, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Anil Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that while
the brother of informant and one Chandan Kumar were
standing near Shitla Mandir Road, Roopwati Community
Hall, after parking his Scooty, some criminals attacked
and fired upon the brother of informant, namely,
Saurabh Abhimanyu @ Golu which hit on his cheek and



when Chandan Kumar intervened, criminals also fired upon him, which hit on his head. It is further alleged that brother of informant and Chandan Kumar succumbed to gun shot injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from the conscious possession of the petitioner. The name of petitioner sprang up in this case on the confessional statement of co-accused Sanjay Kumar Keshari @ Chiku Kumar. Moreover, the petitioner is languishing in judicial custody since 18.10.2023. Similarly situated several co-accused persons have been granted bail by this Bench as well as co-ordinate Bench of this Court.

In contra, learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration 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 in connection with Bye-pass P.S. Case No. 372 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, Patna City.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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