

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16916 of 2024

Arising Out of PS. Case No.-63 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Sanjeet Kumar, aged about 22 years, Male Son of Yogendra Yadav, Resident of Village- Matokhar, P.S.- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sheikhpura PS Case No. 63 of 2023 instituted for the offences punishable under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, accused Sanjeet Kumar cut the wire of the motor of the informant's field. When informant alongwith his *Bhagina* Chandan Kumar went to the cattle shed of Sanjeet Kumar, then Sanjeet Kumar fired on them due to which his *Bhagina* got injured.

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 due to ulterior motive. No incriminating articles have been recovered from the conscious or constructive possession of the petitioner. Petitioner is in custody since 03.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned District and Sessions Judge, Sheikhpura dated 24.01.2024, it appears that the FIR has been lodged against four accused persons including the petitioner. The allegation against the petitioner is that he fired upon the informant but informant saved himself and the injury caused to his *Bhagana*. The time of occurrence in the FIR is about 10 P.M.(night) but no source of light mentioned in the FIR. From perusal of the FIR, it also appears that one firearm injury has been found on the body of Chandan Kumar, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after commitment of the case* 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, Sheikhpura in connection with Sheikhpura PS Case No. 63 of 2023.

7. The trial Court is directed to conclude the



proceeding of commitment within a period of one month.

(Ramesh Chand Malviya, J)

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