

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16635 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- BHAGWANPUR District- Begusarai

Sanjeev Kumar Jha S/o Yougal Kishor Jha R/o vill - Sanjat, P.S -
Bhagwanpur, distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bhagwanpur P.S. Case
no. 349 of 2023 registered under sections 307, 323, 341, 427,
504, 506 and 34 of the Indian Penal Code and section 27 of the
Arms Act.

3. As per the prosecution case, the informant states
that the four named accused persons including the petitioner
herein came variously armed. The petitioner threatened that they
had been asked to vacate which they had not. Abuses were
hurled and thereafter it is stated that the petitioner resorted to



firing but the informant somehow saved herself.

4. Learned counsel for the petitioner submits that there is case and counter case between the parties. Referring to the F.I.R at Annexure- 2 it is submitted that the father of the petitioner herein lodged an F.I.R (Annexure- 2) on 16.12.2023 with respect to an occurrence which had taken place on 15.12.2023 in which Shivam Kumar had resorted to firing resulting in injury to the petitioner's father. It is in retaliation to the said F.I.R that the instant F.I.R has been lodged by the mother of the said Shivam Kumar falsely implicating the petitioner herein. The petitioner is in custody since 19.12.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the contents of the F.I.R lodged by the father of the petitioner as contained in Annexure- 2, no person having been injured in the instant case which was lodged subsequently by mother of Shivam Kumar together with the petitioner having remained in custody since 19.12.2023, the petitioner is directed to be enlarged on bail in connection with Bhagwanpur P.S. Case no. 349 of 2023, 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 Judicial Magistrate- 1st Class, Begusarai.

(Partha Sarthy, J)

Harsh/-

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