

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17363 of 2024

Arising Out of PS. Case No.-564 Year-2023 Thana- SAHPUR District- Patna

Sanjay Mahto @ Sanjay Bhagina SON OF LATE OM PRAKASH SINGH
Resident of Village -Mobarakpur, PS- Shahpur, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Apurv Harsh

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 342, 307 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, allegation against the petitioner is of firing upon the informant due to which one bullet hit at the knee of the informant and he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Although, the petitioner is alleged to have fired upon the informant but neither any eye witness nor any incriminating weapon has been recovered from possession of the petitioner. It is also submitted that the



informant sustained gunshot injury at his knee which is not a vital part. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 1.9.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge** in connection with Shahpur P.S. Case No. 564 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, 1st Class, Patna.

(Sunil Kumar Panwar, J)

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