

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19670 of 2024

Arising Out of PS. Case No.-478 Year-2023 Thana- SAUR BAZAR District- Saharsa

MANTISH KUMAR @ MANTOSH KUMAR @ RAJAN SON OF SURAJ
YADAV R/O-BARAHI, P.S.-SOUR BAZAR, DISTT.-SAHARSA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha

For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sour Bazar P.S. Case No. 478/2023 dated 16.08.2023 registered for the offences punishable under sections 341, 342, 323, 307, 504, 506/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and co-accused persons along with 3-4 unknown miscreants are alleged to have thrown bamboo on the informant's son due to which he fell down and they fired three rounds with intention to kill him causing fire arm injury.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. There is no specific allegation of firing against the petitioner rather the allegation is general and omnibus in nature. The injury sustained by the informant's son on left chest near costal region (2x1xdeep) cm. with bleeding, the injury no. 2 is penetrating wound near right of spine around lumber region approx. (2x1xdeep) cm. Similarly situated co-accused has already been granted bail by this court *vide* order dated 09.05.2024 passed in Cr. Misc. No. 33261 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Sour Bazar P.S. Case No. 478 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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