

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46017 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- CHAUTHAM District- Khagaria

Sanjay Sah @ Sanjay Shah Son of Rajo Sah Resident of Village - Pachahattar,
P.S.- Chautham, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Chautham P.S. Case No. 85 of 2024, instituted for the offences punishable under Sections 447, 341, 323, 307, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons armed with country made rifle and pistol started abusing the informant and his brother. In the meantime, the petitioner opened fire on his brother Bauku Singh.

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



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the informant had fired a bullet upon petitioner which hit Lutan Singh instead of the petitioner. There is case and counter case between the parties. The petitioner is in custody since 26.03.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, case and counter case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chautham P.S. Case No. 85 of 2024.

(Rudra Prakash Mishra, J)

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