

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46073 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- GOGRI District- Khagaria

Santosh Yadav @ Santosh Kumar, aged about 29 years (Male), Son of Sanjay Yadav, Resident of Bhuriya Diyara, P.S. - Gogri, District – Khagaria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vivekanand Singh, Advocate
For the Opposite Party : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Case No. 401A of 2023, arising out of Gogri P.S. Case No. 81 of 2023 dated 03.03.2023 registered for the offences punishable under Sections 302/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons alongwith 3-4 unknown miscreants holding weapons were standing beside the road. The co-accused Amar Yadav fired from his rifle which hit the chest of the informant's husband and thereafter the rest of the co-accused persons fired indiscriminately and thereafter all the accused persons fled away



from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no specific allegation of firing is against the petitioner rather the specific allegation of firing on the informant's husband is against the co-accused Amar Yadav. There is general and omnibus allegation against the petitioner. The other co-accused person has already been granted bail by a Bench of this Court vide Cr. Misc. No. 48148 of 2023 under order dated 08.08.2023, annexed as Annexure-P/3 to the present bail application. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 20.05.2023.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Sessions Judge-V, Khagaria, in connection with Sessions Case No. 401A of 2023, arising out of Gogri P.S. Case



No. 81 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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