

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65687 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- NADI P.S. District- Patna

Sanjay Kumar @ Sanjeev Kumar Son of Sri Gopal Prasad R/O Vill.- Jethuli,
P.s.- Nadi, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

4 21-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Nadi
P.S. Case No. 80 of 2024 instituted for the offence under
Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code
and Section 27 of the Arms Act.

3. Prosecution case in short is that accused persons
have fired upon the brother of informant leading to his death.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 30-04-2024. Petitioner
bears six criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. There is no specific allegation alleged against the petitioner rather allegation is general and omnibus in nature. Specific allegation of firing is attributed to co-accused, namely, Dhiraj Kumar. It is submitted that there is land dispute between the parties. Learned counsel goes on to submit that petitioner and his family members were not present at the place of incident and was present at his residence situated in Patna. Learned counsel for the petitioner lastly submits that police after investigation has already submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that from perusal of the postmortem report, it would reveal that cause of death is hemorrhage and shock due to fire arm injury. Informant in his restatement has also supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no direct allegation against the petitioner even in the case diary and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nadi P.S. Case No. 80 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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