

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66394 of 2024

Arising Out of PS. Case No.-199 Year-2024 Thana- RAFIGANJ District- Aurangabad

Rocky Kumar @ Rocky Kumar Yadav Son of Pramod Yadav Resident of
Village - Charkawan (Nichalidih), P.S. - Rafiganj, District - Aurangabad
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rafiganj P.S. Case No.
199 of 2024 registered for the offence punishable under Sections-
307, 323, 379, 341, 120(b)/34 of the Indian Penal Code and
Section-27 of the Arms Act.

3. As per prosecution case, while the informant after
attending a birthday party, was returning home, in the way, the FIR
named and some unknown persons surrounded him and
consequently, the co-accused, namely Sujit Kumar Pandey is said
to have opened three round of firing which hit the informant and
sustaining bleeding injury, he fell on the ground.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The FIR itself reveals that there was dispute between co-



accused Saurabh Kumar @ Bholi and the informant, prior to lodging of the FIR. It has been mentioned in the FIR that co-accused Sujit Kumar Yadav, Guddu Kumar and Saurabh Kumar @ Bholi along with 3-4 unknown persons opened three round fire upon the informant which shows that the petitioner was not the main accused who opened fire at the informant. Similarly situated co-accused have been granted bail by this court vide orders dated 14-08-2024 & 02-09-2024 passed in Cr. Misc. Nos. 55880 of 2024 and 60647 of 2024 respectively. The petitioner is languishing in judicial custody since 28-05-2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Aurangabad in connection with Rafiganj P.S. Case No. 199 of 2024, subject to the condition that the petitioner shall cooperate in the trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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