

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74173 of 2024

Arising Out of PS. Case No.-747 Year-2023 Thana- SUPAUL District- Supaul

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RAJU SAH @ RAJU KUMAR @ RAJU SON OF SITARAM SAH R/O
VILLAGE- PARSA, P.S. AND DISTRICT- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate

Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 02-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Supaul P.S. Case no. 747 of 2023 registered under sections 302, 341, 323 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that in altercation between the parties, while the petitioner caught hold of Mukesh Kumar, Sanjay Sah shot him with pistol as a result of which Mukesh Kumar sustained firearm injury in his chest and died.

4. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case. Accepting the allegations levelled in the F.I.R., the sole assailant of the deceased who fired from his pistol is Sanjay Sah



and not the petitioner. The petitioner and the other side are agnates. There is case and counter case between the parties in which the brother of the petitioner also died and for which the father of the petitioner had lodged an F.I.R. The petitioner is in custody since 17.8.2024 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. according to which the allegation of firing on the deceased is solely on Sanjay Sah together with the petitioner having remained in custody since 17.8.2024 and the charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Supaul P.S. Case no. 747 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul.

(Partha Sarthy, J)

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