

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81365 of 2023

Arising Out of PS. Case No.-881 Year-2021 Thana- NAGAR District- Vaishali

Sahil @ A. J. Sahil, S/O Sanjay Kumar Yadav R/O Village- Rampur Laugan,
P.S.- Shahkund, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Hajipur Town P.S. Case No. 881 of 2021 for the offences
registered under Sections 394, 302 of the Indian Penal Code and
Section 27 of Arms Act.

3. As per the prosecution case, on the date of
occurrence at about 9.35 PM while husband of the informant
came to house after closing his motorcycle agency, in the
meantime, two unknown miscreants came there and demanded
cash from him. On refusal, they fired upon the husband of the
informant causing injury due to which he died during course of
treatment.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Nothing incriminating has been recovered from the possession of the petitioner. Except the confessional statement of co-accused, Kundan Kumar, there is no material against the petitioner in this case. Petitioner has no criminal antecedent. He is languishing in jail custody since 05.08.2023. It is further submitted that similarly situated co-accused, namely Gunjan Kumar @ Gunjan Rai @ Gunjan Yadav has been granted bail by a co-ordinate Bench of this Court, vide order dated 02.11.2023 passed in Cr. Misc. No. 66640 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Hajipur Town P.S. Case No. 881 of 2021.

(Sunil Dutta Mishra, J)

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