

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 12912 of 2024

Arising Out of PS. Case No.-863 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Abhijeet Singh Rajput @ Abhijeet Kumar @ Abhijeet Singh, aged about 23 years, Gender-Male, Son of Late Harshvardhan Singh, R/o vill - Baruaari, P.S. - Saharsa Sadar, Distt. - Saharsa, At present R/o Banfer Chauk, P.S. - Saharsa, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Saharsa Sadar P.S. Case No. 863 of 2021 registered for an offence punishable under Sections 307, 120(B), 506/34 and 302 of the IPC and Section 27 of the Arms Act.

As per allegation, FIR was lodged by one Sanjit Kumar Agrawal, who was injured and later on died in course of his treatment, as per which, two unknown persons shot at him with intent to kill him. The aforesaid two attackers after assaulting him fled away from the place of occurrence stating that now work of Sunil Kumar Agrawal is done.



3. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that the petitioner is not named in the FIR and his name figured in this case only on the basis of confessional statement of co-accused Ankit Kumar. He next submits that similarly situated co-accused persons have already been granted bail by different Benches of this Court passed in Cr. Misc. Nos. 14994 of 2022 and 15802 of 2022. Petitioner is in custody since 21.12.2021.

4. Learned APP for the State opposes the prayer for regular bail of the petitioner.

5. Considering the aforesaid facts and also the fact that similarly situated co-accused persons have already been granted bail by a Co-ordinate Benches of this Court, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saharsa in connection with Sessions Trail No.90 of 2022 arising out of Saharsa Sadar P.S. Case no. 863 of 2021.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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