

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.128 of 2024

Arising Out of PS. Case No.-218 Year-2015 Thana- BATHNAHA District- Sitamarhi

Sunil Kumar Sah @ Vikky Kumar @ Sunil Kumar Son of Satya Narayan
Mahto R/o vill - Kodwara Tola, Punaura, P.S. - Sitamarhi, Distt - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 324, 307, 34 of the IPC and
section 27 of the Arms Act.

3. The allegation against the petitioner is of resorting firing
upon the informant with an intention to kill him.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioner is not specific rather
general and omnibus in nature. It is submitted that the
occurrence is of the year, 2015 and till date investigation is



going on. Petitioner has been made accused in this case on the basis of confessional statement of the co-accused and till date, the court has not issued process u/s 82 and 83 Cr.P.C. against the petitioner. Petitioner has ten criminal antecedent and similarly situated co-accused namely Munna Singh @ Madhurendra Kumar Mishra @ Madurandra Mishra has been granted anticipatory bail by this Court vide order dated 28.11.2023 passed in Cr. Misc. No.38665 of 2023.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bathnaha P.S. Case No.218 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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