

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14318 of 2025**

Arising Out of PS. Case No.-404 Year-2020 Thana- KHAGARIA District- Khagaria

1. Kirshan @ Krishna Kumar Son of Manoj Yadav Resident of Village- Mathar, P.S.- Khagaria (Muffasil), Distt.- Khagaria
2. Sanni Kumar @ Sanni Dewal Kumar Son of Hakim Yadav Resident of Village- Mathar, P.S.- Khagaria (Muffasil), Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioners and

learned APP for the State

2. The petitioners apprehend their arrest in connection with Khagaria P.S Case No. 404 of 2020 registered for the offences punishable under Sections 341, 307, 147, 148, 149, 504, 506 of Indian Penal Code and under Section (1-B)a, 26, 35, 27 of the Arms Act.

3. As per the prosecution case, FIR named persons have fired and assaulted the informant and his family members due to which several persons become injured.

4. Learned counsel for the petitioners submits that



petitioners have been falsely been implicated in this case. It is next submitted that petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

5. Learned counsel for the State opposes the prayer for bail of the petitioners.

6. From perusal of the F.I.R., impugned order, it appears that there is no specific allegation against the petitioners. After conclusion of the investigation, Investigating Officer submitted final form with not sent up against the petitioners but the learned Magistrate deferred the opinion of the investigating officer and rejected the opinion of the investigating officer and took cognizance against the present petitioners and issued process of summons against all accused persons including present petitioners. Some of the co-accused have already granted bail by the trial Court.

7. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioners, let the above named petitioners be released on bail in the event of their arrest or surrender before the trial court within a period of six weeks from today on



furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M, Khagaria in connection with Khagaria P.S Case No. 404 of 2020 subject to the condition laid down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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