

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17548 of 2025

Arising Out of PS. Case No.-448 Year-2023 Thana- MALSALAMI District- Patna

Sanjeet Kumar Yadav @ Sanjeet Rai @ Dhela Gope @ Dhela Son of
Devnandi Ray @ Dewali Ray Resident of Village- Marufganj, Nagla, P.s.-
Malsalami, Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.N. Shahi, Sr. Advocate

Mr. Amit Anand, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-03-2025 Heard Mr. P.N. Shahi, learned senior counsel assisted
by Mr. Amit Anand for the petitioner and learned APP for the
State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 302 of the Indian Penal Code
and Section 27 of the Arms Act.

3. A dead body of about 24 years boy was lying at
the place of occurrence and the F.I.R. was lodged against the
unknown.

4. It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
He is quite innocent and has been falsely implicated in this case.
He is neither named in the F.I.R. nor was apprehended on the



spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, which has no evidentiary value in the eye of law. It is submitted that charge has not been framed against the petitioner. The petitioner has one criminal antecedent and has been languishing in custody since 24.09.2024.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the seriousness of the allegation, the petitioner does not deserve bail.

6. In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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