

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43087 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- SAMASTIPUR District- Samastipur

SAJAN KUMAR S/o Devendra Prasad Yadav Resident of Village-Magardahi,
Ward No. 36, Police Station-Samastipur (Town) and District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Dubey

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Samastipur Nagar (Town) P.S. Case No. 70 of 2025 dated 07.03.2025 registered for the offences punishable u/ss 103(1) read with section 3(5) of the BNS and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons along with the two unknown miscreants are alleged to have stopped the informant's nephew (*Bhagina*) and on the exhortation of the petitioner, the co-accused Mukesh Kumar took out the pistol from his waist and shot the informant's nephew (*Bhagina*) dead.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to land dispute. There is land dispute between the parties as the Title Suit No. 223 of 2013 is still pending. The petitioner is only an order giver. The specific allegation of firing is against the co-accused Mukesh Kumar. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Samastipur Nagar (Town) P.S. Case No. 70 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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