

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57957 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- SONBERSHA RAJ District- Saharsa

Santosh Yadav S/o Rajdeep Yadav R/o Village- Chandisthan Jamhara Ward
No. 11, P.S.- Sonbarsa Raj, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sonbarsa Raj P.S. Case No. 79 of 2024 registered for the offences under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, petitioner and other two co-accused persons riding a motorcycle fired upon the informant and the pellet passed through the ribs of the informant leaving behind a scar. The occurrence took place in the background of land dispute.

04. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Specific allegation of firing is against co-accused Prince Kumar and no offence under Section 307 of IPC and Section 27 of the Arms Act is made out against the petitioner and other sections of the FIR are bailable. Petitioner is in custody since 09.05.2025 and charge-sheet has been submitted. The petitioner is having antecedent of three cases and those cases were registered under the Bihar Prohibition & Excise Act.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubt over the identity of the assailant who fired upon the informant and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saharsa/concerned court in connection with Sonbarsa Raj P.S. Case No. 79 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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