

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76338 of 2024

Arising Out of PS. Case No.-15 Year-2023 Thana- SHEOHAR District- Sheohar

Navin Kumar Shahi, Son of Mahendra Shahi, R/O Vill.- Madhopur Chhata,
P.S.- Hiramma, Dist.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Prakash Sahay, Advocate Mr. Bal Govind Sharma, Advocate Ms. Ankita Kumar, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP
For the Informant	:	Mr. Devendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 27-03-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. The case of the prosecution is that on 23.01.2023, the informant went to Sheohar with one Pankaj Paswan on a bike. It is further alleged that two persons on a bike followed them. The person riding on the bike as a pillion shot on the head of the father of the informant due to which he died. Md. Barik was driving the bike and Niraj Kumar was the pillion. In the last part of the FIR it is stated that the father of the informant was



having enmity with this petitioner as well and due to which he has been killed.

4. Learned counsel for the petitioner has submitted that the only allegation against this petitioner is that he was having enmity with the deceased. It has also been submitted by the learned counsel that from perusal of the annexures it transpires that Umakant Thakur and Prince Kumar have been granted bail vide Cr. Misc. Case No. 37767 of 2023 and Cr. Misc. Case No.40112 of 2023 respectively; Keshav Singh has been granted bail vide Cr. Misc. Case No.80650 of 2023 and Md. Barik has been granted bail vide Cr. Misc. Case No. 83568 of 2023 from the learned Co-ordinate Bench. The case of this petitioner stands on similar footing.

5. The application for bail is opposed by learned APP for the State. Learned counsel for the Informant is present. He has submitted that he has preferred bail cancellation of Niraj Kumar before the Hon'ble Apex Court.

6. The case of this petitioner is different from that of Niraj. Niraj is the main assailant and the name of this petitioner is included in this FIR only on the basis of enmity. No overt act is alleged against this petitioner. The petitioner is having clean antecedent. The petitioner is in jail since 05.08.2024.



7. Having heard learned counsel for the parties and considering the above facts and circumstances, this Court is inclined to enlarge the petitioner on bail with a condition that the petitioner will co-operate in the trial and shall appear in the court when required. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the court of learned C.J.M., Sheohar in connection with Sheohar P.S. Case No. 15 of 2023.

8. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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