

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4731 of 2015

Arising Out of PS.Case No. -184 Year- 2014 Thana -KALYANPUR District- SAMASTIPUR

1. Ram Lal Rai Son of Late Ram Prasad Rai
2. Pramod Rai Son of Late Ram Prasad Rai Both resident of Village - Bhagirathpur, P.S. - Kalyanpur, Distt. - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.10406 of 2015

Arising Out of PS.Case No. -184 Year- 2014 Thana -KALYANPUR District- SAMASTIPUR

1. Deepak Kumar @ Deepak Kumar Rai Son of Suresh Rai Resident of Village - Musepur, P.S. - Kalyanpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.7797 of 2015

Arising Out of PS.Case No. -184 Year- 2014 Thana -KALYANPUR District- SAMASTIPUR

1. Subodh Kumar Paswan Son of Raghuni Paswan @ Faguni Paswan, Resident of village- Jute Mill Near- Bandh, P.S.- Kalyanpur, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.4731 of 2015)

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Indu Kri.Srivastav(App)

(In Cr.Misc. No.10406 of 2015)

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Indu Bala Panday (App)

(In Cr.Misc. No.7797 of 2015)

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Anil Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 05-05-2015

All the above stated petitions arise out of Kalyanpur P.S.Case No. 184 of 2014 registered under section 302/34, 120B of the Indian Penal Code and 27 of the Arms Act and accordingly all the above stated petitions are being disposed of by this common order.

Petitioners, except petitioner in Cr. Misc. No. 10406 of 2015, are named in the first information report and in the F.I.R itself, it has been stated by the informant that co-accused Rajiv Kumar opened fire on him as a result there of he sustained firearm injury. The informant also stated in his fardbeyan that all the named accused as well as unknown accused persons made indiscriminate firing as a result of which his father sustained firearm injury and died in course of his treatment. In his further statement recorded at para-7 of the case diary, the informant added the name of petitioner in Cr. Misc. No.10406 of 2015 and stated that co-accused Rajiv Kumar as well as petitioner in Cr. Misc. No. 10406 of 2015 opened fire on his father.

It would appear from perusal of the entire case diary that general and omnibus allegation of firing has been leveled

against the petitioners except petitioner in Cr. Misc. No. 10406 of 2015 and admittedly, the name of petitioner in Cr. Misc. No.10406 of 2015 came in course of investigation.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 184 of 2014.

(Hemant Kumar Srivastava, J)

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