

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31267 of 2014

Arising Out of PS.Case No. -100 Year- 2013 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

1. Chintu Singh @ Chunchun Kumar Singh @ Chintu Kumar S/o Satrudhan Singh, resident of Village- Rudal Pakari, P.S.- Pipra Kothi, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.40495 of 2014

Arising Out of PS.Case No. -100 Year- 2013 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

1. Sona Singh Son of Shiv Shankar Singh R/o Village Rudal Pakari, P.S. Pipra Kothi, District East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.31267 of 2014)

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Satyanand Shukla(App)

(In Cr.Misc. No.40495 of 2014)

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-01-2015

Heard both sides.

The petitioners seek bail in Pipra Kothi P.S. Case No. 100 of 2013 registered for the offence registered under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The informant, Bipin Kumar Singh, named the petitioners alongwith other accused persons with allegation that on the order of Satrugan Singh, his nephew Sona Singh and Chintu Singh @ Chunchun Kumar Singh @ Chintu Kumar opened fire. The firing made by Sona Singh did not hit any person but the firing made by the Chintu Singh @ Chunchun Kumar Singh @ Chintu Kumar hit Amit Kumar, who died on the spot.

Learned counsel for the petitioners submits that the victim was going alongwith Shivji Singh but Shivji singh is not the informant of the case. Bipin Kumar Singh gave his fardbeyan, who also claimed himself to be the eye witness of the occurrence. The entire occurrence appears to be doubtful.

It appears that there is very specific allegation against Chintu Singh @ Chunchun Kumar Singh @ Chintu Kumar that he fired which hit Amit Kumar in his head and Amit Kumar died on the spot. Hence, I am not inclined to grant bail to the petitioner (Chintu Singh @ Chunchun Kumar Singh @ Chintu Kumar in Cr. Misc. No. 31267 of 2014). Accordingly the same is rejected.

So far as petitioner, namely Sona Singh in Cr. Misc. No. 40495 of 2014 is concerned, the firing made by Sona Singh did not hit any person. Petitioner Sona Singh is in custody since 15.07.2014.

Considering the facts aforesaid and the fact that the firing made by Sona Singh did not hit any person, petitioner, Sona Singh is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Pipra Kothi P.S. Case No. 100 of 2013.

(Prabhat Kumar Jha, J)

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