

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40189 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -CHAND District- BHABHUA
(KAIMUR)

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Dadan Prajapati @ Dadan Kumhar S/o Late Girdhari Kumhar resident of
village - Diwane, P.S. Chand, District - Kaimur (Bhabua)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.

For the Opposite Party/s : Mr. P.N.Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 01-09-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that his son was assaulted by Baban Prajapati, Babulal Prajapati, Mannu Prajapati, and Pannu Prajapati. Thereafter, when his nephew Ajit Kumar Patel went to bring paper on road, then Babulal Prajapati fired at him and Pannu Prajapati, Mannu Prajapati, Baban Prajapati and Dadan Prajapati (petitioner) are also alleged to have made indiscriminate firing. The informant further disclosed that his nephew died due to firing made by Babulal Patel.

It is submitted that from perusal of the post-mortem report (Annexure-2) it would appear that deceased Ajit Kumar Patel got one firearm injury, which is attributed to one Babulal Patel and another injury is caused by hard and blunt substance.

Considering the fact that the petitioner and others are also alleged to have shot fire, but no other firearm injury, except one which is attributed to Babulal Patel, is found on the dead body of the deceased, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chand P. S. Case No. 39 of 2015.

(Prabhat Kumar Jha, J)

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