

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40477 of 2015

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

1. Mannu Prajapati @ Abhimanyu Prajapati Son of Babban Prajapatti,
Resident of Village - Diwane, P.s. - Chand, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.40499 of 2015

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

1. Babban Prajapati @ Babban Kumhar Son of Late Girdhari Kumhar,
resident of village - Diwane, P.s. - Chand, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.40477 of 2015)

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. P.N.Pandit (App)

(In Cr.Misc. No.40499 of 2015)

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. P.N.Pandit(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-09-2015

Heard both sides.

The petitioners seek bail in a case under Section 302
and other sections of the Indian Penal Code.

The informant named five persons and alleged that
Babulal Prajapati fired at his nephew, Ajit Kumar. The informant
further alleged that Pannu Prajapati, Mannu Prajapati, the

petitioner, Baban Prajapati, the petitioner and Dadan Prajapati also made indiscriminate firing and his nephew fell down on the ground. The informant further stated that his nephew died due to firing made by Babulal Prajapati.

From perusal of the post mortem report, it would appear that one fire arm injury was found on the person of Ajit Kumar, the deceased, author of which is Babulal Prajapati. The petitioners are, of course, alleged to have made indiscriminate firing but no further fire arm injury was found on the person of the deceased. Similarly situated accused Dadan Prajapati has already been enlarged on bail vide order passed in Cr. Misc. No. 40189 of 2015 and the case of petitioners stands on the same footing.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the above named petitioners are 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 the learned Chief Judicial Magistrate, Kaimur at Bhabua in Chand P.S. Case No. 39/2015.

(Prabhat Kumar Jha, J)

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