

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42726 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -DULHIN BAZAR District- PATNA

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1. Kundan @ Kundan Kumar @ Abhishek Kumar son of Shyam Lal
Paswan Resident of village G.I.D. P.S. Dulhin Bazar District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Bharat Lal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 30-10-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 302/34 of the Indian
Penal Code and section 27 of the Arms Act.

The prosecution case is that the FIR named accused
Nand Lal Kumar alias Ganesh Kumar and Dhanraj Kumar fired at
the son of the informant, as a result of which he died at the spot.
Name of the petitioner subsequently sprang up in the subsequent
statement of the informant and brother and sister-in-law (bhabhi)
of the victim.

It is submitted by the learned counsel for the petitioner
that in the FIR the accusation is specific against only two persons.
The FIR does not suggest the presence of the petitioner or any

other person on the spot. It is further submitted that the petitioner has been roped in the present case subsequently since he happens to be the relative of one of the accused persons Nandlal Kumar. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the accusation is specific against the FIR named accused, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Danapur in connection with Dulhin Bazar P.S. Case No.36 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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