

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51625 of 2014

Arising Out of PS.Case No. -412 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

Sumit Singh, S/o Gajendra Singh @ Gajendra Prasad Singh, R/o Village-
Purab Tola, Kahalgaon, P.S.- Kahalgaon, Distt.- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Adovcate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 03-03-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Kahalgaon
P.S. Case No. 412 of 2014 registered for the offences punishable
under Sections 302 read with 34 of the Indian Penal Code and 27
of the Arms Act.

According to the prosecution case, co-accused Sonu
Jha is alleged to have handed over a country-made pistol to co-
accused Tidha Yadav and Tidha Yadav fired at Pappu Khan,
which hit on his chest, as a result of which he fell down and died.

It has been contended that there is no overt act alleged
against the petitioner. The petitioner is a man of clean antecedent

and he has never ever been made accused in any other case. The case of the petitioner stands of identical footing to that of co-accused Pankaj Mandal @ Pankaj Kumar Mandal who has already been granted bail by a Bench of this Court on 20th January, 2015 in Cr. Misc. No. 2269 of 2015. A web copy of the aforesaid order dated 20th January, 2015 has been produced by the learned counsel for the petitioner. Let the same be kept on record.

On the other hand, learned counsel for the State has opposed the prayer for bail. However, he concedes that the case of the petitioner stands on identical footing to that of co-accused Pankaj Mandal @ Pankaj Kumar Mandal.

Regard being had to the facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of Sh. A. Samim, learned Chief Judicial Magistrate, 1st Class, Bhagalpur in connection with Kahalgaon P.S. Case No. 412 of 2014.

(Ashwani Kumar Singh, J.)

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