

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10309 of 2015

Arising Out of PS.Case No. -238 Year- 2014 Thana -KHAGAUL District- PATNA

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Ajeet Kumar son of late Dwarika Ram R/o - West Lohanipur Pakka Lane,
P.S. - Kadam Kuan, District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shakti Suman Kumar, Advocate.

For the Opposite Party : Mr. P.K.Chaurasia(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-05-2015 Heard both sides.

The petitioner seeks bail in Khagaul P.S. Case No. 238
of 2014, registered for the offences punishable under Sections 302
of the Indian Penal Code and Section 27 of the Arms Act.

The wife of the deceased is the informant and she
disclosed that Sunil Kumar her nephew disclosed that Ajit Kumar
fired which hit her husband. Ajit Kumar was caught and handed
over to police.

Learned counsel for the petitioner submits that there is
no eye witness of the occurrence. Sunil Kumar, who informed the
informant that the petitioner fired which hit Arun Kumar has not
been examined during the course of investigation. The witnesses
examined during the course of investigation have simply stated

that at about 11-12 p.m., he heard alarm that one person of a Barat received firearm injury. The petitioner was, of course, apprehended by the Barat at the place of occurrence, but nobody came forward to say that it was the petitioner who fired even pistol of the petitioner was not examined by the ballistic expert. The police after investigation submitted charge sheet under Section 304 of the Indian Penal Code.

Considering the facts aforesaid, 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 the Learned Sub-Divisional Judicial Magistrate, Danapur, Patna in connection with Khagaul P.S. Case No. 238 of 2014.

(Prabhat Kumar Jha, J.)

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