

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12887 of 2015

Arising Out of PS.Case No. -719 Year- 2014 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Sumit Kumar @ Raja S/o Sri Pappu Singh R/o Vill.- Sarvoday Nagar,
P.s.- Begusarai Town, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.19484 of 2015

Arising Out of PS.Case No. -719 Year- 2014 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Mohan @ Mohan Kumar @ Shivam Kumar Son of Arun Singh Resident
of Village/mohalla- Sarvodaya Nagar, P.s Town, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.12887 of 2015)

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Rajendra Nath Jha(App)

(In Cr.Misc. No.19484 of 2015)

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Uday Chandra Prasad (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 28-08-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since
24.11.2014 in a case registered for offences punishable under
Section 396 of the Indian Penal Code and Section 27 of the Arms

Act.

The prosecution case, as per the fardbeyan of the informant Shankar Thakur, is that on 22.11.2014 at about 8 P.M. when he was going to his saloon from his local residence, suddenly four miscreants surrounded him and snatched his mobile and some food articles. In the meantime, Homeopath doctor namely, Girdhari Malakar reached at the spot on cycle and interfered in the scuffle, but in reply the miscreants fired upon him and Doctor Girdhari Malakar fell down and miscreants fled away. On hearing the sound of firing the neighboring people arrived there and the informant came to know from the local people that the doctor was practicing there since last several years. The people tried to save the life of the doctor by taking him at Sadar Hospital, Begusarai, where he had been declared dead. Further the local people described the details of the names taken at the time of occurrence by the deceased doctor and accordingly the names have been given in the F.I.R.

It has been submitted by the learned counsel for the petitioners that the allegations are general and omnibus and occurrence has taken place on a road, where the petitioners were also there along with many other persons.

It has been further submitted that there is no specific

allegation against the petitioners in the involvement of commission of offence.

Under such circumstances, let the petitioners namely, Sumit Kumar @ Raja and Mohan @ Mohan Kumar @ Shivam Kumar be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Town P.S.Case No. 719/2014.

Since the petitioner, namely Sumit Kumar @ Raja involved in number of cases, he is directed to appear before the Court below on each and every date, failing to appear on two consecutive dates, the bail bond is liable to be cancelled by the Court below.

(Nilu Agrawal, J)

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