

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47171 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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Sonu Kumar son of Sri Umesh Shah, resident of village- Gadhsisai, P.S.-
Vidyapati Nagar, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 08-12-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections 302/34 of the Indian Penal Code and Section 27 of the

Arms Act.

It is alleged that petitioner and two F.I.R. named

accused came on motorcycle and co-accused made indiscriminate

firing of carbine causing death of one person on the spot. So far as

petitioner is concerned, it is alleged that he opened fire of katta on

one Arjun Rai but fortunately, the aforesaid Arjun Rai escaped

unhurt.

Submission on behalf of the petitioner is that the

petitioner has been implicated in this case on account of village



politics and, as a matter of fact, petitioner does not have any concern with co-accused as well as deceased. It is submitted that petitioner does not have any criminal antecedent and moreover, recovery of three empty cartridges of 9 mm and one pellet of 9 mm goes to show that no katta had been used in the alleged occurrence.

Considering the aforesaid facts and circumstances as well as submission of the parties and also taking note of this fact that petitioner does not have any criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Dalsingh Sarai in connection with Vidyapati Nagar P.S. Case No.81 of 2016.

(Hemant Kumar Srivastava, J)

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