

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57185 of 2015

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

1. Dhanraj Kumar son of Parmanand Paswan, Resident of village- G.I.D.  
P.S. Dulhin Bazar, District- Patna

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA  
ORAL ORDER

4 21-04-2016 Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner is apprehending his arrest in  
connection with Dulhin Bazar P.S.Case No. 36/2015 under  
Section 302/34 of the I.P.C. & 27 of the Arms Act.

Learned counsel for the petitioner submits that  
though there is specific allegation against the petitioner that he had  
fired at the right side of the Panjra of the son of the informant,  
subsequently, during re-statement of the informant himself as well  
as other witnesses, it has come on record that only Nand Lal  
Kumar @ Ganesh Kumar had in fact fired at the chest of the  
deceased, resulting in his death.

So far as the allegation against the present petitioner

Dhanraj Kumar is concerned, the Post mortem report also indicates that there is communicating injury on the chest of the deceased and there was no injury on the right side of panjra of the deceased.

Considering the facts and circumstances of the case that there is no cogent material in the case diary to substantiate the allegation against the petitioner of fire on the person of the deceased, let the petitioner, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Shri Shyamal Kumar, Judicial Magistrate, 1<sup>st</sup> class, Danapur, Patna in connection with Dulhin Bazar P. S. Case No. 36/2015, subject to condition as laid down under Section 438( 2) of Cr. P.C.

**(Anjana Mishra, J)**

Sudha/-

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