

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5104 of 2017

Arising Out of PS. Case No. -44 Year- 2016 Thana -PIPRA District- PATNA

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Chunmun Kumar @ Munchun Kumar, Son of Gandhi Singh, Resident of
Village- Chilbilli, P.S.- Parsa Bazar, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamod Kumar Vidyarthi, Advocate

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection
with Pipra P.S. case no. 44 of 2016 registered under Sections
25(1-b) a /26/35 of the Arms Act.

Accusation is that Suresh Singh, gotia of the
informant Punam Devi, along with his son Sonu Kumar and seven
others entered in the house of Supriya Kumari and started abusive
language and also assaulted her. Thereafter they also entered into
her house and at that time Sonu Kumar, son of Suresh Singh, fired
at her and luckily she saved herself and again Sonu Kumar fired at
her son, but luckily the fire did not hit her son. At that time her son
and other family members raised alarm and hearing alarm the
villagers gathered, then Sonu Kumar and his father armed with
pistol were apprehended while others succeeded to flee away, but



on chase three were apprehended, who disclosed their names, as Bablu Kumar, Ravi Kumar @ Rocky and Ashok Yadav. On query, they disclosed the name of four others including the petitioner, who succeeded to flee away.

Learned counsel appearing for the petitioner submits that it would appear from the F.I.R. that neither the petitioner was apprehended nor any arms and ammunition has been recovered from his possession, but due to ill motive the petitioner has been implicated in this case. Further submission is that the petitioner has no criminal antecedent, except Pipra P.S. case no. 43 of 2016, which was instituted on the basis of the fardbeyan of the informant under the Penal Code and Section 27 of the Arms Act.

In the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today the above named petitioner 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 Sub-Divisional Judicial Magistrate, Masaurhi, Patna in connection with Pipra P.S. case no. 44 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Rajendra Kumar Mishra, J.)

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