

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14272 of 2017

Arising Out of PS.Case No. -22 Year- 2016 Thana -PIPRIYA SAHAYAK District- LAKHISARAI

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Dilkhush Kumar, Son of Rabindra Singh, Resident of Village -
Babhangawa, Police Station - Lakhisarai, District – Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 13-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Pipariya
P.S. Case No.22 of 2016 registered under Sections 302 and 120(B)
of the Indian Penal Code besides Section 27 of the Arms Act.

The allegation of the informant Sarawan Kumar
Sharma is that in the evening of 11.06.2016, his brother Surendra
Kumar alias Surendra Kumar Sharma, was returning to the house
but, in the way, he was shot dead by unknown. The miscreants
also took his mobile, gold chain and cash Rs.20,000/-.

Learned counsel appearing on behalf of the petitioner
submits that the informant lodged the case for killing of his



brother Surendra Kumar alias Surendra Kumar Sharma against unknown but on the next day, the wife and nephew of the deceased Surendra Kumar alias Surendra Kumar Sharma claimed to be eye witnesses to the occurrence saying that Pankaj, Utpal Kant, Rohit and this petitioner alongwith others committed the murder of the deceased Surendra Kumar alias Surendra Kumar Sharma. If the wife and nephew of the deceased Surendra Kumar alias Surendra Kumar Sharma were the eye witnesses to the occurrence, they ought to have given the name of the assailant of the deceased Surendra Kumar alias Surendra Kumar Sharma in the F.I.R. In fact, the petitioner and others have falsely been implicated in this case after lodging of the present case on mere suspicion. The petitioner is in custody since 30.07.2016. While the petitioner is accused in six other cases, as detailed in paragraph-3 to this application, but in all that cases, the petitioner is on bail. Further submission is that the co-accused Utpal Kant Kumar alias Karu alias Rajan Singh has already been granted bail by a Bench of this Court vide order dated 04.04.2017 passed in Criminal Misc. No.11147 of 2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai, in connection with Pipariya P.S. Case No.22 of 2016,

(Rajendra Kumar Mishra, J)

P.S./-

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