

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21078 of 2017

Arising Out of PS.Case No. -189 Year- 2016 Thana -AKBARPUR District- NAWADA

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Subhash Singh, son of Karu Singh, resident of Village- Karam, Police Station- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithlesh Prasad Singh, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 20-06-2017 Heard both sides.

The petitioner seeks bail in Akbarpur P.S. Case No. 189/2016, registered for the offences punishable under Section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

The informant named five persons including the petitioner Subhash Singh and alleged that they all having armed with different weapons came in his house and demanded extortion. The accused persons assaulted the informant, when his son Shankar Singh came to save the informant, the accused persons caught Shankar Singh. On the order of Karu Singh, Pappu Singh fired which hit Shankar Singh who died on the spot.

Learned counsel for the petitioner submits that there is



no specific allegation of firing against the petitioner. Pappu Singh on the order of Karu Singh is alleged to have fired causing death of Shankar Singh. The order giver Karu Singh has been granted regular bail vide order passed in Cr. Misc. 6809/2017. Tisu Singh co-accused has also been granted bail. The case of the petitioner stands on the same footing.

Learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the fact that there is specific allegation against Pappu Singh that he fired and similarly situated co-accused Tisu Singh has already been enlarged on bail and the order giver Karu Singh has also been enlarged on bail, the petitioner above-named, is directed to 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 Additional Chief Judicial Magistrate – Ist Class, Nawada in connection with Akbarpur P.S. Case No. 189/2016.

(Prabhat Kumar Jha, J.)

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