

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27788 of 2017**

Arising Out of PS.Case No. -216 Year- 2016 Thana -DEEPNAGAR District- NALANDA  
(BIHARSHARIFF)

=====

1. Sunil Kumar Son of Kishori Prasad, Resident of Mohalla- Sri Ram Nagar, P.S.- Deep Nagar, District- Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

2      28-06-2017                      Heard both sides.

The petitioner seeks bail in Deepnagar P.S. case No. 216 of 2016 under Section 302, 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that he, his brother and uncle were grazing buffalo. The buffalo went in the field of Krishna Mahto. It is further alleged that Sunil Kumar, Mantu Kumar @ Kara Kumar, Sanni Kumar, Ajit Kumar, Sonu Kumar and Jitendra Kumar having armed with Lathi came there and assaulted the informant and others. At the same time Sunil Kumar, the petitioner, is said to have ordered to kill all the three persons. On such, Sanni Kumar and Sonu Kumar came with rifle in their hands



and handed over to Jitendra Kumar and Ajit Kumar. Jitendra Kumar and Ajit Kumar fired. One shot hit the informant and another shot hit Dharo @ Dharmendra Yadav on his chest, who died on the spot. The informant sustained injuries on account of firing made by Jitendra Kumar and Ajit Kumar.

The learned counsel for the petitioner submits that petitioner is an order giver. Mantu Kumar @ Kara Kumar has already been granted bail vide order passed in Cr. Misc. No. 14543 of 2017. The petitioner is in jail since 08.05.2017.

It appears that there is no allegation of assault against the petitioner and petitioner is said to be an order giver.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner 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 the learned Additional Sessions Judge-I, Nalanda at Bihar Sharif in Sessions Trial No. 280 of 2017 arising out of Deepnagar P.S. Case No. 216 of 2016.

**(Prabhat Kumar Jha, J)**

BKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

