

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31130 of 2017

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

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Sunny Kumar, S/o Punnichand Prasad, Resident of village – Sriramnagar
Korai, Police Station-Deepnagar, District-Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ganesh Sharma, Advocate.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Deepnagar P.S. Case No.
216 of 2016 registered under Sections 147, 148, 149, 341, 323,
307 and 302 of the Indian Penal Code and Section 27 of the Arms
Act.

On grazing the filed of the accused by the buffalo of
the informant, the petitioner along with other accused persons
assaulted the informant and others by means of lathi and on the
order of Sunil Kumar, the petitioner got the rifle and handed over
the same to Jitendra Kumar. The said Jitendra Kumar resorted
firing upon the informant and Dharmendra Yadav on his chest,
who died on the spot, while the informant sustained fire arm



injuries in the said firing.

It is submitted by learned counsel for the petitioner that the petitioner does not happen to be the assailant. He had simply brought the rifle obliging the order given by co-accused Sunil Kumar. The said Sunil Kumar has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 28.06.2017 passed in Cr. Misc. No. 27788 of 2017. The petitioner has been languishing in custody since 23.11.2016.

Considering the facts aforesaid, 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 1st Additional Sessions Judge, Nalanda at Bihar Sharif in connection with Deepnagar P.S. Case No. 216 of 2016.

(Prakash Chandra Jaiswal, J)

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