

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6124 of 2017

Arising Out of PS.Case No. -134 Year- 2016 Thana -MUSHARI District- MUZAFFARPUR

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Deepak Kumar @ Deepak, Son of Shri Bishun Singh, resident of Village- Rohua Rajaram, P.S.- Mushari, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Babita Kumari, Advocate.
Mr. Shashank Shekhar, Advocate.
For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Mushari P.S. Case No. 134 of 2016 instituted for the offence under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, Chandan and Rakesh took the husband of the informant to the house of the petitioner. The informant had talked with Mobile phone of her husband at 6:45 p.m. but after sometime the mobile phone got disconnected. The informant has alleged that her husband used to say that Anjani Thakur and Chotua are behind his life.

Case diary has been received.

The learned A.P.P. has pointed out that Munna Kumar



has given statement before the police as an eye witness in paragraph 12 of the case diary. In his statement he has levelled specific allegation against Anjani Thakur of causing firearm injury to the deceased. In his statement it has come that the occurrence has taken place in the house of the petitioner. Similarly, in the statement of other witnesses it has come that the occurrence has taken place in the house of the petitioner. Besides such evidence, there is no other evidence of any specific overt act against the petitioner. The petitioner is said to be in custody since 15.10.2016.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Additional Chief Judicial Magistrate-cum-Sub Judge-III, Muzaffarpur in connection with Mushari P.S. Case No. 134 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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