

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25010 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -
SHANKARPUR District- MADHEPURA

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Ripusudan Kumar Son of Naresh Prasad Yadav resident of
Village Raibheer Ward No. 7 P.S. Shankarpur, District
Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-05-2018 The petitioner seeks bail in connection with
Shankarpur P.S. Case No. 75 of 2017 dated 08.06.2017
instituted for the offences under Sections 302, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The husband of the informant was shot at and killed
on the order of the petitioner. The wife of the deceased viz.
Kiran Devi has lodged the F.I.R alleging that she saw her
husband being surrounded by five persons and on the orders
of the petitioner, one Guddu Kumar fired from his weapon
which hit the deceased in his chest. No sooner the deceased
fell down on the ground, one Santosh Yadav fired from his
weapon which hit the deceased in his stomach. Thereafter,
the miscreants left the place of occurrence.

The learned counsel for the petitioner has submitted
that allegation against the petitioner is that of an order giver.



It has further been submitted that no reason has been assigned for the cause of murder.

The attention of this Court has also been drawn to the fact that the occurrence is stated to have taken place on 07.06.2017 at 5 O' clock in the evening but the case was only registered on the next day after the informant got free from performing the last rites. This conduct of the informant also appears to be doubtful.

The learned counsel for the petitioner, therefore has submitted that perhaps the deceased was killed by some other persons and only in order to feed fat the old grudge, the petitioner has been made accused in this case.

The petitioner is in custody since 06.03.2018 and does not have any criminal antecedent.

Regard being had to the aforesaid facts as also that the petitioner is not the assailant of the deceased, the petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Madhepura in connection with Shankarpur P.S. Case No. 75 of 2017.

(Ashutosh Kumar, J)

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