

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49492 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- BIDUPUR District- Vaishali

1. Kundan Singh S/o Rambabu Singh R/o village Gopalpur, P.S. Bidupur,
District Vaishali
2. Rahul Kumar @ Rajan @ Ranjan S/o Binay Singh R/o Village
Majlishpur, PS. Bidupur, Dist. Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sri Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-10-2018 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek bail in Bidupur P. S. Case No
166/18 instituted for the offence under Section(s) 302, 120B of
the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioners has submitted that
informant is not an eye witness in this case.

In the written report it is alleged that informant got
information on telephone that his brother Jitan Rai and Tinku
Mallik have been killed and their dead were lying in Banana
field of Binod Singh. The informant has further alleged that on
27.5.2018 his brother told him that Kundan Singh, Rahul



Kumar, Arun Chaudhary had given threat to him of dire consequence as he used to give information to police as being a spy. It is alleged that on 1.6.2018 in conspiracy made by the Kundan Singh and Rahul Kumar @ Raja, Arun Chaudhary took his brothers Jitan Rai and Tinku Mallik behind banana filed of Binod Singh where Prabhat Kumar, Saleem Mian, Mokim Mian and Bharat Paswan were present from before. Seeing all the persons his brothers tried to escape by motorcycle but co-accused Arun Chaudhary shot fire on his brothers which hit in the belly of Jitan Rai on account of which he fell down. It is further alleged that Prabhat Kumar, Saleem Mian, Mokim Mian and Bharat Paswan have also made firing upon the brothers of the informant on account of which both sustained injury on temporal region and died at the spot.

Learned APP after looking into the case diary has submitted that in paragraph nos. 12 and 15 witnesses have merely raised suspicion against these petitioners.

Petitioners are in custody since 3.6.2018

Considering the aforesaid, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the CJM, Vaishali at Hajipur,



in connection with Bidupur P. S. Case No 166/18 subject to
the condition that both the bailers shall be the close relative of
the petitioners.

(Sanjay Priya, J)

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