

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52977 of 2018

Arising Out of PS.Case No. -74 Year- 2018 Thana -BELSAND District- SITAMARHI

- =====
1. Nunu Kumar @ Ratan Kumar, S/o Shobha Prasad @ Munindra Kumar,
 2. Vishwanath Kumar @ Vishwanath Thakur, S/o Ramlal Sharma, Both
are R/o Vill.- Pandrahi, P.S.- Belsand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Madhubala Verma, Advocate

For the Opposite Party/s : Smt. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 27-09-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners seek bail in **Belsand P.S. Case No.74 of 2018** instituted for the offence under Section(s) 302 and other allied sections of Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that on the date of occurrence this petitioner along with other accused surrounded the mother of the informant and on the order of Munnu Kumar, Nunu Kumar (petitioner) caused fire arm injury on her due to which she fell down. Thereafter, other accused persons also assaulted the mother of the informant. Elder brother of informant, Md. Abul Khalid, who was coming just behind his mother, saw the occurrence and raised halla.



Counsel for the petitioners submits that during investigation statement of the informant and his brother, Md. Abdul Khalid, have been recorded in para 8 and 9 of the case diary, wherein, they have stated that firing was made by younger son of Shobha Prasad, namely, Rahul Kumar alias Munnu Kumar as a result of which she fell down. Other witnesses in their statement recorded in para 12, and 13, have also alleged that co-accused Rahul Kumar @ Munnu fired shot on account of which mother of the informant sustained injury. Police has also mentioned about criminal antecedents of Rahul Kumar @ Munnu.

The Dy. Superintendent of Police in his supervision note as well as Superintendent of Police, in his Report II have stated that Rahul Kumar @ Munnu has made firing on the mother of the informant.

Post mortem report is available in the case diary, wherein, doctor has found one fire arm injury on the person of the deceased. Cause of death was due to fire arm injury.

In the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners, 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 the **Chief Judicial Magistrate, Sitamarhi**, in connection with **Belsand P.S. Case No.74 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioners.

(Sanjay Priya, J)

**JA/-
Rohit Kr.**

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