

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23811 of 2018

Arising Out of PS. Case No.-17 Year-2017 Thana- SOHAIL District- Gaya

Rakesh Kumar, S/o Kedar Sao, resident of Village- Phulwaria Eghara, P.S.-
Sohail, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa
For the Opposite Party/s : Mr. Smt. Reena Sinha

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 20-04-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Sohail PS Case No.17 of 2017, registered under Sections
302 and 120(B) of the Indian Penal Code, under Section 27 of
the Arms Act as well as under Section 17 of the CLA Act.

Allegation in brief is that the brother of the informant
was going to market and seeing the petitioner stopped his
motorcycle and started talking with him, in the meanwhile, three
persons belonging to Maoist Extremist Group also turned up
with automatic fire arms shot dead the brother of the informant
and thereafter escaped away.

Learned counsel for the petitioner submits that as per
the allegation itself, the brother of the informant had stopped



vehicle of the petitioner for talking as both were acquainted from earlier and there is no allegation of doing any overt act in the episode of killing the deceased, moreover the petitioner has clean antecedent and there is no allegation that he is also a member of Extremist Group and is in custody since 04.12.2017.

Having considered the aforesaid facts and circumstances, petitioner Rakesh Kumar is directed to 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 CJM, Gaya in connection with Sohail PS Case No.17 of 2017.

(Arun Kumar, J)

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