

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64845 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- KHUDWA District- Aurangabad

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Nawal Kishor Shukla @ Nawal Kishore Shukla S/o Late Ramakant Shukla,
Resident of Village- Holichak, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 01-11-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302, 307/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that the accused persons including the petitioner and Jhunnu Kumar and Akhilesh Yadav were altercating among themselves regarding land dispute. In the meantime, accused Sujit Shukla took out his pistol and opened fire, due to which informant's mother sustained injury and then the informant found his mother dead due to gun shot. Accused Jhunnu Kumar also opened fire from his pistol, which hit Binay Paswan.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No injury is attributed against the petitioner causing upon the deceased. The petitioner is alleged to have got exchange with Jhunnu Kumar and Akhilesh Yadav. The main allegation is against co-accused, namely, Sujit Shukla, who fired upon the deceased and the deceased succumbed to the said injuries.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Aurangabad in connection with Khudawan P.S. case No.31 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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