

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57567 of 2017

Arising Out of PS.Case No. -364 Year- 2017 Thana -MARHAURA District- SARAN

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Jitendra Kumar Prasad, S/o Shatrughna Prasad, resident of Village-
Jodhawali, Police Station- Marhowrah, District- Saran. Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.2357 of 2018

Arising Out of PS.Case No. -364 Year- 2017 Thana -MARHAURA District- SARAN

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1. Shatrughan Singh, Son of Late Rameshwar Singh.
2. Kariman Kumar, Son of Hari Shankar Singh, Both Resident of Village-
Nautan, Police Station- Marhowrah, District- Saran..... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

(In Cr.Misc. No.57567 of 2017)

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Sri Zainul Abedin

(In Cr.Misc. No.2357 of 2018)

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

4 29-01-2018 Heard learned Counsel for the petitioners and the State as
also the learned Counsel appearing on behalf of the Informant.

Learned Counsel for the petitioners is permitted to correct
the name of petitioner No. 2 in Cr. Misc. No. 2357 of 2018 as
Kariman Kumar.

Both the bail applications (Cr. Misc. No. 57567 of 2017 and
Cr. Misc. No. 2357 of 2018) are being disposed of by this common
order as they arise out of the same FIR.

Petitioners, already in custody, seek bail in Marhoura PS
Case No. 364 of 2017 registered under Sections 302, 120(B), 34 of
the IPC and Section 27 of the Arms Act.

The allegation in brief is that the deceased had disclosed to
the police with regard to activities of Munna Singh acting as Agent



for employment in the Indian Army and in that connection the informant's brother was called in a hotel where Firoz shot at him causing his death.

Learned Counsel appearing on behalf of petitioner Jitendra Kumar Prasad (the petitioner of Cr. Misc. No. 57567 of 2017) submits that specific allegation of shooting at the deceased is against one Firoz and it is stated that he was found also escaping away from there, he had only one criminal antecedent and similarly situated co-accused Shyam Tiwary has been admitted to bail by a coordinate Bench of this Court.

Learned Counsel appearing on behalf of the petitioners of Cr. Misc. No. 2357 of 2018 submits that petitioners are owners of the hotel where the deceased was all of a sudden shot by Firoz and the petitioners have no criminal antecedent, however, later on it was disclosed that Kariman had called the deceased.

Learned Counsel appearing on behalf of the informant submits that the evidence is that both the petitioners of Cr. Misc. No. 2357 of 2018 were seen removing blood stains surfaced in the hotel.

Having considered the said facts and circumstances and that the specific allegation of killing the deceased is against one Firoz, the petitioners, namely, Jitendra Kumar Prasad, Shatrughan Singh and Kariman Kumar are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) by each one of them with two sureties of the like amount each to the satisfaction of Dr. Rajesh Singh, Judicial Magistrate, Saran at Chapra in connection with Marhaura PS Case No. 364 of 2017.

(Arun Kumar, J.)

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