

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61402 of 2018

Arising Out of PS. Case No.-520 Year-2013 Thana- SHRIKRISHNAPURI District- Patna

Chandan Kumar @ Machhali, Son of Manik Chandra Singh, Resident of
Village- Sabnima, P.S.- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma
For the Opposite Party/s : Mr. Sri Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-10-2018

Heard both sides.

The petitioner seeks bail in Sri Krishnapuri P.S. Case No.520 of 2013, registered under Sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act.

One Rajesh Kumar alleged that he along with Kundan, Chandan and driver Nitesh came along with Rajeev Kumar Singh on Scorpio vehicle to their residence. When they were going on lift to third floor, the lift stopped at second floor. Four persons flashed pistols and abused the informant and others and took them out of the lift. Bhola Singh and Mukesh Singh made indiscriminate firing causing the death of Rajeev Kumar Singh.

The learned counsel for the petitioner submits that the petitioner is not named in the FIR. Name of the petitioner



figured in the case in the confessional statement of co-accused Saurav Kumar @ Chandan and save and except this fact, there is no specific allegation against the petitioner. The informant made very specific allegation of firing against Bhola Singh and Mukesh Singh who made indiscriminate firing causing death of Rajeev Kumar Singh.

Taking into consideration the facts that the name of the petitioner figured during the course of investigation that too in the confessional statement of co-accused Saurav Kumar before the police but no specific allegation is made against the petitioner, in the FIR itself the informant who is an eye-witness of the occurrence has made very specific allegation of indiscriminate firing against Bhola Singh and Mukesh Singh causing death of Rajeev Kumar Singh, petitioner, above named, is directed to be enlarged 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 learned ACJM, Patna in connection with Sri Krishnapuri P.S. Case No.520 of 2013.

(Prabhat Kumar Jha, J)

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