

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16672 of 2018

Arising Out of PS.Case No. -353 Year- 2017 Thana -BIHPUR District- BHAGALPUR

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1. Abhinandan Kumar @ Kanhiya Rajak, Son of Boku Rajak, Resident of Village Jamaldipur (Dhobi Tola), Police Station, Kharik District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Sri Bharat Lal, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147,148,149,302,379 of the Indian Penal Code and Section 27 of Arms Act.

The informant is eye witness of the occurrence. According to FIR, the petitioner and six others surrounded the informant and her husband on the way and fired from their respective rifles causing death of the husband of the informant.

Learned counsel for the petitioner submits that the case diary would reveal that the deceased was himself a veteran criminal and due to some rivalry with another criminal, murder of the deceased was committed by some



unknown person and false FIR has been lodged. The petitioner is in custody since 14.11.2017. Postmortem report is not consistent with allegation of multiple fire.

Co-accused Sunil Singh was granted bail by this Court vide Annexure-2 series after perusal of the case diary and postmortem report. Allegation against the petitioner is similar to co-accused Sunil Singh.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bihpur Police Station Case No.353 of 2017, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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