

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5903 of 2019

Arising Out of PS. Case No.-145 Year-2016 Thana- TIKAPATTI District- Purnia

Chunchun Kumar @ Maniraj Kumar @ Munchun Kumar, Son of Akhilesh Kumar Mandal, Resident of Village Koskipur, P.S. Tikapatti, District Purnea.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-02-2019 Heard both sides.

Petitioner apprehends his arrest in Tikapatti P.S. Case No.145 of 2016, registered under Sections 307, 326 and 34 of the Indian Penal Code and 27 of the Arms Act.

The informant named seven persons at the first instance and alleged that they all made indiscriminate firing causing injury to him. When his brother Sudhir Kumar Mandal came to save, Chunchun Kumar, the petitioner and Mithu Singh fired but his brother Sudhir Kumar Mandal got providential escape and did not receive any firearm injury.

Learned counsel for the petitioner submits that Randhir Kumar got one wound of entry and another wound of exit caused by firearm but the injury is simple in nature. Although seven persons are alleged to have fired but on such ground Lalo Mandal, Akhilesh Kumar Mandal, Mithlesh Mandal and Pankaj Mandal



have been granted anticipatory bail by order dated 28.04.2017 passed in Cr. Misc. No.11064 of 2017 by a co-ordinate Bench of this Court. The petitioner is of course alleged to have fired along with Mithu Singh on Sudhir Kumar Mandal but no firearm injury was received by Sudhir Kumar Mandal. There is long standing land dispute between the two sides.

Taking into consideration the facts that of course the petitioner and Mithu Singh are alleged to have fired at Sudhir Kumar Mandal, the brother of the informant, but Sudhir Kumar Mandal did not receive any firearm injury and the persons who are alleged to have fired on the informant and informant got one firearm injury have already been enlarged on anticipatory bail, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order 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 Judicial Magistrate, 1st Class, Purnea in connection with Tikapatti P.S. Case No.145 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

