

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8973 of 2019**

Arising Out of PS. Case No.-53 Year-2018 Thana- KORMA District- Sheikhpura

Mithun Sao, S/o Late Basant Sao, R/o Virupur, P.S.- Virupur, District -  
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 24502 of 2019**

Arising Out of PS. Case No.-53 Year-2018 Thana- KORMA District- Sheikhpura

Pankaj Kumar, Son of Sri Rajendra Sao, Resident of Village - Mohamadpur,  
P.S. - Korma, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 8973 of 2019)

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

(In CRIMINAL MISCELLANEOUS No. 24502 of 2019)

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      30-04-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

Petitioners seek bail in a case registered for the  
offences punishable under Sections 147, 148, 149, 448, 354B,  
504, 380, 302 of the Indian Penal Code, Section 27 of the Arms  
Act and Section 3/4 of the Explosive Act.

According to FIR, petitioner Pankaj Kumar allegedly  
attempted to outrage the modesty of Rita Devi. When Rita Devi



made alarm, co-accused Rajendra Sao exhorted the accused persons. Thereafter, petitioner Mithun Sao fired from his pistol and then Pankaj Kumar fired causing injury at the right thigh of Rita Devi, as a result whereof, Rita Devi died. The Doctor has found single injury on the right thigh of Rita Devi causing fracture of bone. Bullet was also recovered and the Doctor found profound bleeding, due to aforesaid firearm injury, as cause of death.

Learned counsel for the informant opposed the prayer for bail of petitioner Pankaj Kumar on the ground that he is the person who allegedly fired causing firearm injury.

Both the petitioners are in custody since 27.08.2018. Investigation of the case is already complete.

Considering the nature of allegation against **petitioner-Mithun Sao**, let him be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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 Korma Police Station Case No. 53 of 2018, with the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below having immovable



property.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Considering the nature of allegation against **petitioner-Pankaj Kumar**, I am not inclined to enlarge him on bail in connection with aforesaid case. Hence, his prayer for bail is refused.

Learned Trial Court is directed to expedite the trial.

**(Birendra Kumar, J)**

Rajan/Banti

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