

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15681 of 2019**

Arising Out of PS. Case No.-761 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Deepak Singh @ Deepak Kumar Son of Late Satyanarayan Singh Resident of
Village - Paspura, P.S.- Muffassil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babita Kumari
For the Opposite Party/s : Mr.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 26-03-2019 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks regular bail in connection
with Begusarai (Muffasil) PS case no. 761 of 2018 registered for
the offence punishable under Section 302/34 of Indian Penal
Code and 27 of Arms Act.

The allegation is regarding the petitioner and
other accused persons having caught hold of the deceased
namely Mahesh Kr. Singh, whereafter the co-accused persons
namely Alok Singh, Bambam Singh and Kaari Singh had
opened fire resulting in the deceased sustaining firearm injury
causing his death.

The learned counsel for the petitioner submits



that no firearm injury has been attributed to the petitioner herein and infact, there is no allegation of any sort of overt act, as far as the petitioner is concerned and the only allegation against the petitioner is of holding the deceased while the allegation of firing gunshots is against the other accused persons. It is thus submitted that the complicity of the petitioner is not made out in the said incident. It is further submitted that though the petitioner is an accused in one other case but he is on bail in the said case. The petitioner is said to be languishing in custody since 23.12.2018.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that though it may be true that the petitioner has not fired any gun shot causing firearm injury to the deceased but nonetheless, he is the person who had caught hold of the deceased so as to facilitate his murder.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned C.J.M. Begusarai in
connection with Begusarai (Muffasil) PS case no. 761 of 2018.

(Mohit Kumar Shah, J)

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