

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28124 of 2019

Arising Out of PS. Case No.-519 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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KISHAN KUMAR Son of Ram Binod Rai Resident of Village- Jitwarpur,
Hasanpur, Police Station- Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 519 of 2018 registered for the
offences punishable under Sections 307, 504, 34 of the Indian
Penal Code and 27 of the Arms Act.

Several accused persons riding on motorcycles
descended at the house of the informant and started firing upon
the informant but fortunately informant escaped unhurt.

It is submitted by the learned counsel for the
petitioner that no such occurrence as alleged ever took place.
The allegations levelled against the petitioner is not specific
rather general and omnibus in nature. Albeit one witness namely



Dinesh Kumar said to have identified the petitioner in the occurrence but the said witness happens to be own man of informant. Earlier Muffasil P.S. Case No. 438 of 2017 was lodged against the informant for attempt to commit murder of the relatives of the petitioner and in order to put pressure upon the petitioner to get the aforesaid case compromised, petitioner has been falsely implicated in this case. No one sustained any injury in the occurrence. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V, Samastipur in connection with Muffasil P.S. Case No. 519 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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