

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32750 of 2019

Arising Out of PS. Case No.-926 Year-2018 Thana- PHULWARISHARIF District- Patna

SANTOSH KUMAR Son of Late Mahanand Sharma Resident of Village-
Mahangupur, P.S.-Janipur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 07-08-2019 Heard learned counsel for the petitioner, counsel
for the informant and the State.

The petitioner seeks bail in **Sessions Trial No. 357**
of 2019 arising out of Phulwari Sharif P.S. Case No. 926 of
2018, instituted for the offence under Section(s) 302/34 of
Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that on the date of
occurrence father of the informant was sitting on chair outside
the house. The informant was talking with her father. In the
meantime, four persons including petitioner came on two
Motorcycles. It is further alleged that Santosh Kumar
(petitioner) and Subodh went near father of the informant armed
with pistol and opened fire. The father of the informant
sustained firearm injury on his chest on account of firing made
by co-accused Subodh @ Santu and he fell down on the ground



causing firearm injury. Subsequently, the father of the informant died in the way to hospital.

Counsel for the petitioner submits that in the post mortem report only one firearm injury on the chest of the deceased has been found.

Petitioner is in custody since 22.11.2018 having clean antecedent.

Counsel for the informant has appeared and opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional District and Sessions Judge, XVIIIth, Patna**, in connection with **Sessions Trial No. 357 of 2019 arising out of Phulwari Sharif P.S. Case No. 926 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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