

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39994 of 2019

Arising Out of PS. Case No.-66 Year-2018 Thana- BIHARSHARIF District- Nalanda

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RAUSHAN KUMAR @ MANOJ KUMAR @ PAWAN KUMAR Son of
Bharat Singh Resident of Pachhiyadih, P.S.- Muffasil, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar Jha, Adv

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-09-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 307,302 of the Indian
Penal Code and 27 of the Arms Act.

During marriage ceremony, some unknown
person fired causing injury to the father of the informant, as a
result whereof, he died. Hence, FIR was registered against
unknown. During investigation, it surfaced that co-accused-
Rahul Kumar had some previous affairs with the girl who was
married with the informant. Hence, Rahul Kumar hatched a
plan to commit murder of the informant and the petitioner and
others were hired for the purpose. However, by mistake, firing



hit to the father of the informant and he was killed.

Submission of learned counsel for the petitioner is that said Rahul Kumar has already been allowed bail by a Coordinate Bench of this Court in Cr.Misc. No.61444 of 2018. Moreover, there is no other material to substantiate that the petitioner was ever seen before or after the occurrence near the place of occurrence by anyone.

Learned counsel for the informant opposed the prayer for bail on the ground that this is a case of murder under a conspiracy by the hired criminal and the petitioner is one of the hired person.

Considering the entire facts especially grant of bail to Rahul Kumar by a Coordinate Bench of this Court and no direct evidence against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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 Bihar Police Station Case No.66 of 2018, corresponding to G.R.No.493 of 2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case,



failing which the court below shall be at liberty to cancel the
bail bond of the petitioner.

(Birendra Kumar, J)

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