

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36740 of 2019**

Arising Out of PS. Case No.-230 Year-2019 Thana- SUPAUL District- Supaul

1. PRABHU KUMAR, Male, aged about 32 years, Son of Late Raj Kumar Mukhiya @ Raj Kumar Kamat, Resident of Village - Ward No.13, Naya Nagar, nagar Parishad, Supaul, P.S.- and Dist.- Supaul
2. Rahul Kumar, Male, aged about 27 years, Son of Late Shiv Shankar Mukhiya @ Shankar Kamat, Resident of Village - Ward No.13, Naya Nagar, nagar Parishad, Supaul, P.S.- and Dist.- Supaul

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

**Appearance :**

For the Petitioners : Mr. Amrit Abhijat, Adv.  
For the Opposite Party : Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      18-06-2019                      Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

The petitioners seek bail in connection with Supaul P.S. Case No. 230 of 2019 for the offence alleged under Sections 324, 325, 307 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that the petitioner no. 1 had taken Rs.35,000/- from the informant and was called by the petitioners and others near primary school where co-accused, Golu Kumar, fired on the informant and allegation is that the petitioners also gave knife blow to the informant.

It has been submitted by the learned counsel for the



petitioners that they are innocent, the allegation of firing is upon co-accused, Golu Kumar, and the petitioners have been falsely implicated. The allegations levelled are false and baseless.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Supaul P.S. Case No. 230 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Supaul, or the successor Court, subject to the following conditions :

(i) One of the bailors would be a close relative of each of the petitioners having sufficient immovable property, who will file an affidavit stating his/their relationship(s) with the petitioner(s).

(ii) Petitioners will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his/their bail bond(s).

(iii) If the petitioners indulge in an offence of similar



nature in future, the prosecution will be at liberty to move the  
learned Court below for cancellation of his/their bail bond(s).

**(Nilu Agrawal, J)**

Shamshad/-

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