

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35055 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- BIHIA District- Bhojpur

RAHUL KUMAR CHAUBEY @ RAHUL CHAUBEY @ RAJA Shri
Rameshwar Chaubey Resident of Village- Mahuli, P.S.- Gajrajganj, District-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Singh

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Bihiya P.S.Case No.67 of 2019 , registered for offences
punishable under Sections 302 of the Indian Penal Code and
Section 27 of the Arms Act.

Prosecution case is that during '*Barat*', some firing took
place causing injury to the brother of the informant and later
on he died. It is also alleged that later one some persons
informed that it is the petitioner who had fired.

Submission of the learned counsel for the petitioner is
that firstly no case is made out in view of the above
circumstances under Section 302 of the IPC as firing was going



on during 'TBarat' and secondly none of the witnesses have supported the case and only it appears that some persons informed that it is the petitioner who has fired.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur, Ara in connection with Bihiya P.S.Case No.67 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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