

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36520 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- SIWAN CITY District- Siwan

KAUM @ STAR Son of Late Ali Akhtar Resident of Village-Dakshin Tola,
Police Station-Siwan Town, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr. Ajay Kumar Tiwary
For the Opposite Party/s	:	Mr. Bipin Kumar
For the State	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-08-2019 Heard the learned counsel for the petitioner, informant
and the learned A.P.P. for the State.

The petitioner seeks bail in Siwan Town P.S. Case No.
96/2019, instituted for offence under Section(s) 302, 120(B) of
the Indian Penal Code read with Section 27 of Arms Act.

It is alleged in the written report that on 01.02.2019 at
about 8:30 P.M., grandson of informant had gone with this
petitioner and other five named accused persons and 3-4
unknown persons. At 10:00 P.M. informant learnt that his
grandson is shot dead. Thereafter informant along with villagers
rushed to Dakhin Tola near mosque and found his grandson was
lying dead. He was brought to hospital where doctor declared
him dead.

Learned counsel for the petitioner has submitted that



there is no eye-witness to the occurrence.

Learned Sessions Judge, Siwan has mentioned in the impugned order about different paragraphs of case diary wherein witnesses have supported the allegation against this petitioner, but all the witnesses are hearsay witnesses.

In para 185 and 187 of case diary witnesses have stated that petitioner was present on the place of occurrence.

In this manner, besides suspicion there is no allegation of overt act against this petitioner.

Petitioner is in custody since 01.04.2019.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Siwan, in connection with Siwan Town P.S. Case No. 96/2019, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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