

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36557 of 2019

Arising Out of PS. Case No.-651 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

AKASH KUMAR @ AAKASH KUMAR Son of Nilendra Kumar Resident
of Mohalla - Ward No. 40, Sarvoday Nagar, Bishunpur, P.S.- Town, Distt –
Begusarai ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Sudhanshu Kumar Lal, Advocate
For the Opposite Party : Mr.Binod Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-09-2019 Heard learned counsel for the petitioner, the State as well as perused the case diary.

Petitioner is an accused in a case registered for the offence under sections 302, 324 and 34 of the Indian Penal Code and under section 27 of the Arms Act.

Informant alleges that on receiving information on mobile phone from one Saurabh Kumar that his brother has sustained gun shot injury and is under treatment in the Sadar Hospital, Begusarai, when he went there one Vibhakar Kumar told him that it was accused Prince Kumar and the petitioner who shot at his brother causing his death.

Learned counsel for the petitioner, pointing to the section 164 Cr.P.C. statement of the said Vibhakar Kumar, submits that he has clearly stated that accused Prince Kumar shot at the deceased while the petitioner was driving the



motorcycle. Informant is not the eye witness of the occurrence. Learned counsel further submits that the deceased was a notorious criminal of the area and was engaged in collecting extortion, as such, he might have been killed by some other person. He has no criminal antecedent and is in custody since 5.4.2019.

Considering the facts of the case, 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 Chief Judicial Magistrate, Begusarai in Town Police Station Case No. 651 of 2018, subject to the condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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