

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40952 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- KISHUNPUR District- Supaul

Rahul Kumar Son of Hari Narayan Sharma Resident of Village- Bhapthiyahi,
P.S.- Bhaptiyahi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-09-2019 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Kishanpur P.S. Case No.
87 of 2019, registered for the offences punishable under
Sections 341, 147, 148, 149, 302 and 120B of the Indian Penal
Code and section 27 of the Arms Act.

Informant alleged that on 03.05.2019 at about 7.30
p.m., 13 to 14 persons came to the shop of informant on five
motorcycles and informant's son was standing outside the shop.
Three persons armed with pistol namely, Chandan Kumar, Lal
Kumar and Dinesh Paswan were sitting on black Apache
motorcycle and made indiscriminate firing upon informant's
son. Remaining persons who were sitting on rest four
motorcycles, also opened fire and fled away towards west. It is



further alleged that informant's eldest son had given loan to one of the co-accused Bhumi Yadav and when his son demanded back his money, he refused to return the same and also gave threat to informant to kill all the sons of informant and that is the reason the alleged occurrence took place.

It is submitted on behalf of the petitioner that so far as this petitioner is concerned, there is general and omnibus allegation of firing. Petitioner is said to be member of unlawful assembly. In para 14 of the case diary, witness has not taken the name of petitioner. Petitioner is a student and he is innocent. Petitioner has been falsely implicated in this case. Petitioner is in custody since 04.05.2019 having no criminal antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged 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, Supaul in connection with Kishanpur P.S. Case No. 87 of 2019.

(Prabhat Kumar Singh, J)

vinita/-

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