

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50414 of 2019

Arising Out of PS. Case No.-283 Year-2019 Thana- NATHNAGAR District- Bhagalpur

1. SUMAN KUMAR Son of Bharat Das Resident of Village - Noorpur, Harijan Tola, P.S.- Madhusudanpur (Nathnagar), District - Bhagalpur.
2. Chandan Das @ Chandan Kumar Son of Pradeep Das Resident of Village - Noorpur, Harijan Tola, P.S.- Madhusudanpur (Nathnagar), District - Bhagalpur.
3. Deepak Das Son of Subhash Das Resident of Village - Noorpur, Harijan Tola, P.S.- Madhusudanpur (Nathnagar), District - Bhagalpur.
4. Paras Das @ Paras Kumar Son of Madho Das Resident of Village - Noorpur, Harijan Tola, P.S.- Madhusudanpur (Nathnagar), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 20-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 283/2019 in G.R. No. 2479/2019 registered under Sections 448, 341, 323, 354, 509/34 of the I.P.C. and Section 25 (1-b)A & 26 Arms Act.

Learned counsel for the petitioners submits that petitioner no.1, Suman Kumar has been apprehended by the police, as such, this application so far it relates to Petitioner No. 1 has become infructuous.



In view of submission of learned counsel for the petitioners prayer for grant of pre-arrest bail on behalf of Petitioner No.1 is dismissed as withdrawn.

Accusation is that petitioner nos.2 to 4 and Suman Kumar used to tease the daughter of the informant for 2-3 days but she did not disclose the incident in the family. In the evening of 11.06.2019, informant Manjay Das was at his house, at that time, aforesaid persons came and started to tease his daughter then he interfered. On which Suman took out the pistol from the waist then Deepak Das (Petitioner No. 3) took the same and caused injury at his head through butt of pistol, at that time others had caught hold of him. On raising alarm he snatched the pistol and nearby people assembled then they fled away.

Submission is that petitioner Nos. 2 to 4 are next door neighbours and agnate of the informant. Further submission is that while the chargesheet has already been submitted but there is no description of sustaining injury by the informant. The petitioners have no criminal antecedents.

Having regard to the facts and circumstances of the case, let the petitioner Nos. 2 to 4 above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Nathnagar (Madhusudanpur) P.S. Case No.



283/2019 corresponding to G.R. No. 2479/2019 shall be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of C.J.M., Bhagalpur or the successor Court, subject to the conditions as laid down under Section 438 (2) of the Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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