

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50746 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- PAKARIBARAW District- Nawada

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UMESH CHAUHAN Son of Nandlal Chauhan Resident of Village - Amarpur
Beldaria, P.S.- Pakribarawan, District- Nawada Petitioner

Versus

THE STATE OF BIHAR Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Counsel for the petitioners is permitted to make

necessary correction in paragraph 1 of the application in course

of the day.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 341, 323, 324, 325, 307/34 of the
Indian Penal Code and 27 of the Arms Act in which section 302
IPC was added later on.

The prosecution case in short is that the accused
persons started marpit with a person and thereafter assaulted the
informant. Thereafter the accused persons entered into the house
and opened fire due to which one person received injury and
later died in hospital.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 29.6.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The main allegation is against Ram Krishna Chauhan who is alleged to have fired upon one Shobha Devi and in course of treatment, she had succumbed to the injury and for the said reason, Section 302 IPC was later on added. Other co-accused has been granted bail vide order dated 8.8.2019 passed in Cr. Misc. No. 48199 of 2019.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Diwakar Kumar, Judicial Magistrate, 1st Class, Nawada in connection with Pakaribarawan P.S. Case No. 138/19.

(Sudhir Singh, J)

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