

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56692 of 2019

Arising Out of PS. Case No.-204 Year-2018 Thana- GOPALPUR District- Patna

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Kundan Kumar Son of Kamlesh Prasad Resident of - Ilahibagh, P.S. -
Gopalpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Sessions
Trial Case No. 421 of 2019, arising out of Gopalpur P.S. Case No.
204 of 2018, registered under Section 302/34 of the Indian Penal
Code.

The accusation is that, at about 1 P.M., on 02.08.2018,
informant, Ravi Bhushan Singh, was at cash counter in Budha Dental
Hospital and at that time, he was watching the Television news then
came to know that from the apartment, which is being constructed
near Surya temple, two persons carried one person and committed his
murder by causing assault through bricks, rod and spade. Thereafter,
informant went there and saw that more than 150 people of mob
were present there, who caught hold both persons indulging in



committing the murder and on query, both persons disclosed their names as Kundan Kumar (petitioner) and Jitendra Kumar. Thereafter, police came there and set free both person from the mob and took away. On seeing, the informant identified the dead body of his son, Sumant Bhushan.

Learned counsel for the petitioner submits that it would appear from the case diary, which is up to paragraph 20 that police has submitted the charge sheet against the petitioner and co-accused, Jitendra Kumar mere on suspicion on the basis of hearsay witness of informant and others but the police has not recorded the statement of labourers who were seen the occurrence. It is further submitted that petitioner has no criminal antecedent and is in custody since 21.08.2018.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-XIV, Patna, in connection with Sessions Trial Case No. 421 of 2019, arising out of Gopalpur P.S. Case No. 204 of 2018. Out of two sureties, one surety must be the close relative of the petitioner.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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