

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59152 of 2019

Arising Out of PS. Case No.-120 Year-2018 Thana- MANSAHI District- Katihar

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AMBUJ KUNWAR @ AMBUJ KUMAR @ TULO KUNWAR Son of
Balmiki Kunwar Resident of Village-Bhramarpur, P.S.-Bihpur, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioner, O.P. No. 2
and learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 302 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in brief is that while the informant
with his father and brother were in the field, the accused persons
having armed with pistol came there and fired upon the father of
the informant as a result of which, he died.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 06-08-2019. Charge sheet has
already been submitted. As per the FIR, three persons including



the petitioner are said to have fired at the time of occurrence but there is only one fire-arm injury on the body of the deceased. General and omnibus allegation has been made against the petitioner. No specific injury is attributed against the petitioner. The postmortem report does not corroborate the allegation made in the FIR.

On behalf of the State and O.P. No. 2 , it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to 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 learned Additional Chief Judicial Magistrate-VI, Katihar in connection with Mansahi P.S. Case No. 120 of 2018.

(Sudhir Singh, J)

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