

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61317 of 2019

Arising Out of PS. Case No.-13 Year-2017 Thana- SAMHO District- Begusarai

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1. DEEPAK KUMAR @ GUJJA, aged about 35 years, Male, Son of Anil Singh, Residence of Village- Bijuliya, Police Station- Samho in the district of Begusarai
 2. Sudhir Singh, aged about 49 years, Male, Son of Sri Sadanand Singh, Residence of Village- Bijuliya, Police Station- Samho in the district of Begusarai
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Sunil Kumar, Adv.
For the State	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	M/s Uma Shankar & Karandeep Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-09-2019 As prayed for, the learned counsel for the petitioners is permitted to make necessary correction in the name of petitioner no. 1.

Heard learned counsel for the petitioners, the learned counsel for the informant and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with S. Tr. No. 202 of 2018 arising out of Samho P.S. Case No. 13 of 2017 for the offences alleged under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that the informant, Madhuri Devi, along with her family members, was returning to her house, when reached near the house of Dheena Yadav in the way, all of



sudden five persons, named in the first information report, including the petitioners and two unknown, came near her brother-in-law, Vinod Singh. Co-accused, Rajesh Singh, asked to caught hold him, then, Rajan Singh and Deepak Kumar (petitioner no. 1) caught hold to Vinod Singh, thereafter, Niranjn Singh fired at his chest, Sudhir Singh also made firing at left side of chest of Vinod Singh, then, Vinod Singh fell down, thereafter, all moved from their making firing in the air. Vinod Singh, brother-in-law of the informant, due to firing died on spot.

The submission of the learned counsel for the petitioners is that after investigation police submitted the charge sheet only against Nirajnan Singh and Ranjan Singh and submitted the final form against the petitioners named accused, Rajesh Singh. The case in respect to Rajan Singh and Niranjn Singh was committed to the Court of sessions and numbered as S. Tr. No. 202 of 2018, and during trial both the petitioners and Rajesh Singh have been summoned under Section 319 of the Criminal Procedure Code. Further, submission is that similarly situated co-accused, Rajesh Singh @ Bantu Singh, has already been extended the privilege of pre-arrest bail in Cr. Misc. No. 55977 of 2019 on 05.09.2019.



Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with S. Tr. No. 202 of 2018 arising out of Samho P.S. Case No. 13 of 2017 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, Fast Track Court, I, Begusarai, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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