

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70884 of 2019

Arising Out of PS. Case No.-231 Year-2019 Thana- HARNAUT District- Nalanda

1. BUNTY KUMAR Son of Sri Prem Ji @ Sanjay Kumar Singh Resident of Village - Gonawa, P.S.- Harnaut, District - Nalanda.
2. Bhola Kumar Son of Sri Manoj Singh Resident of Village - Gonawa, P.S.- Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 6.8.2019 in a case registered for the offences punishable under Sections 302 and 120B of the I.P.C. and Section 27 of the Arms Act.

The prosecution case as per the written report of Chanchal Devi submitted to the SHO, Harnaut Police Station is to the effect that on 9.6.2019 at 9.00 P.M., the son of the informant Jairam Kumar was being called by the petitioners to the house of one Sanjay where other co-accused persons were present from before. When the informant's son seeing them consuming liquor made protest, all of them assaulted to the informant's son. Next day, i.e., on 10.6.2019, when Tilak ceremony in the



neighbour's house was going on, these petitioners called the son of the informant through mobile phone when the informant forbade his son to go there but in spite of that, he went there when the informant followed him and saw his son being fired upon by the co-accused Monu Kumar, Ghantu Jha and Gaurav Kumar causing injury in the back and right side of the abdomen of the informant's son. Subsequently, the son of the informant was taken to the PMCH, Patna but on the way, he succumbed to the injury.

It is submitted by learned counsel for the petitioners that the informant claims to be the eye witness to the alleged occurrence and specifically alleged that three other accused persons fired upon the son of the informant. It is further submitted that only allegation against the petitioners is that they called the victim through mobile phone. It is further submitted that the investigation has already been concluded. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by the learned counsel for the informant and the state that on 9th and 10th June, 2019, the victim was being called by the petitioners by mobile phone and they are named in the FIR.



Considering the fact that the specific accusation of firing is against co-accused Monu Kumar, Ghantu Jha and Gaurav Kumar, the informant being the eye witness to the alleged occurrence, investigation being concluded and the period in custody, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda at Biharsharif in connection with Harnaut P.S. Case No.231 of 2019.

(Dinesh Kumar Singh, J)

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