

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2365 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Mickel @ Dipak Kumar @ Deepak, son of Chhote Singh, Resident of Village-Chaturbhuj Bishanpur, P.S.- Nagar (Ratanpur O.P.) District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur

For the Opposite Party/s : Mr. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 26.06.2018 in a case registered for the offences punishable under Sections 307 and 34 of the I.P.C and Section 27 of the Arms Act.

The prosecution case as per the fardbeyan of Mukesh Kumar @ Ghoghan dated 18.05.2018 at 11.15 A.M., recorded by A.S.I., Nagar (Ratanpur O.P.) P.S. is to the effect that on 17.05.2018 at about 08.00 P.M., the informant was working in his motorcycle repairing shop, in the meantime, ten people came on five motorcycles, out of which six accused persons had concealed their face by cloth and the remaining four accused



persons were identified by the informant. It is also alleged that the four accused persons resorted to fire on the informant which hit on the left hand of the informant.

It is submitted by learned counsel for the petitioner that admittedly the accusation of firing is omnibus and general and not specific against the petitioner. The accusation of firing is specific against the co-accused Chhote, causing firearm injury to the informant. A statement has been made in paragraph no.3 of the petition that apart from the present case, the petitioner was indulged in two other cases in which he is on bail. It is further submitted that there is accusation of firing by three other accused persons but no empty cartridge was found on the spot by the Investigating Officer.

It is submitted by the learned APP for the State that the petitioner is named in the FIR.

Considering the fact that the specific accusation of firing is only against the co-accused Chhote and other similarly situated co-accused, Raju Kumar, has been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 28.09.2018 in Cr. Misc. No.58308 of 2018, let the above named petitioner 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 **C.J.M., Begusarai** in
connection with **Begusarai P.S. Case No.293 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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