

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10146 of 2020

Arising Out of PS. Case No.-353 Year-2019 Thana- MINAPUR District- Muzaffarpur

Ram Prit Prasad, aged about 45 years, Male, Son of Late Saryug Prasad,
Resident of Village - Kharhar, P.S.- Minapur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner, the informant
and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Minapur P.S. Case No. 353 of 2019 (Trial No.2413 of
2019) registered for the offences punishable under Sections 341,
323, 307, 302, 120(B) of the Indian Penal Code and Section 27
of the Arms Act.

Informant Pappu Prasad, the nephew of deceased
Dipnarayan Prasad has alleged in his written application tht
about 4-5 days ago Manoj Prasad has been sent to jail in
connection with business of wine. At the time of going to jail, he
told his family members that he has to kill Dipnarayan Prasad
alleging that he has made him arrested by informing police.On
02.07.2019 at about 1:30 pm, informant's uncle together with



Raja Sharma and Satrugshan Sahni proceeded for Muzaffarpur on a motorbike. In the meantime, Sunil Kumar, brother-in-law of Manoj Prasad and other accused persons named in the F.I.R. including the petitioners also proceeded with a view to kill his uncle in the way to Muzaffarpur and at the same time, his (informant's) grant-father informed him that Sunil Kumar, Sushil Prasad and Shailendra Prasad @ Munna has followed his uncle with an intention to kill and thereafter, he (informant) along with his uncle also followed the above mentioned accused persons and saw that as soon as his uncle reached near a brick-kiln, Sunil Kumar fired indiscriminately due to which his uncle died at the spot and another two pillion rider also got injured.

Learned counsel for the petitioner submits that there is specific allegation against Sunil Kumar, Sushil Prasad and Shailendra Prasad @ Munna. There is specific allegation against Sunil Kumar to have fired indiscriminately due to which his uncle died at the spot and other two pillion riders also got injured. Learned counsel for the petitioner further submits that there is no specific allegation against the petitioner. He further submits that there is land dispute between the parties and civil suit is going on amongst the parties. He has mentioned the details in paragraph-7 of the bail petition.



Learned counsel for the informant submits that there is conspiracy and the petitioner made three attempts to kill the deceased and he succeeded in the third attempt.

There is no specific allegation against the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Sri Aftab Alam, J.M. Iast Class, Muzaffarpur in connection with Minapur P.S. Case No. 353 of 2019 (Trial No.2413 of 2019), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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