

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8853 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

Bihari Bind, Son of Late Basdeo Bind, Resident of Village-Narotapur, P.S.-
Bhabua, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 02-06-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Chainpur
P.S. Case No. 112 of 2019, registered under Section 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The accusation is that Satendra Singh, brother of the
informant, Rajendra Singh, at 8.40 P.M. on 13.03.2019 moved in the
field for irrigation. In the next morning, informant came to know that
his bother, Satendra Singh, has been killed by unknown by causing
gun shot injury. Thereafter, informant went at the field and found the
dead body of his brother, Satendra Singh, causing firearm injury at
his chest and near ear.

Learned counsel for the petitioner submits that it would
appear from the FIR that after seeing the dead body, informant



lodged the present case against unknown after meeting with the villagers but police later on, recorded the statement of Lalan Singh, co-villager of the informant, as detailed in paragraph 19 of the case diary, in which, he disclosed that he was irrigating the field and heard the sound of three firings. Thereafter, he saw Mahendra Ram, Chotka Bind and Bihari Bind (petitioner) moving there with arms like Katta, except that nothing has been collected by the Investigating Officer showing his hand in the present case. In fact, due to local politics, name of the petitioner has surfaced in the present case with false allegation. It is further submitted that petitioner has no criminal antecedent and is in custody since 06.12.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-II, Kaimur at Bhabua, in connection with Chainpur P.S. Case No. 112 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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