

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9149 of 2020

Arising Out of PS. Case No.-124 Year-2019 Thana- PHULWARIA District- Begusarai

KAMLESH KUMAR S/o Anil Kumar Singh @ Anil Singh Resident of
Village- Fulwariya -03, P.S.- Fulwariya, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 341, 307, 302, 504/34 of the Indian Penal Code and 27
of the Arms Act.

Allegation is that co-accused Manoj Kumar @ Manti
fired upon the chest of the informant's brother, due to which he
sustained grievous injury. In course of treatment he died. The
petitioner fired upon the informant, but same did not hit him.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 12.09.2019. Charge sheet has
been submitted in this case. There is no allegation of tampering
of witnesses alleged against the petitioner. The main allegation
is against the co-accused, namely, Manoj Kumar @ Manti, who



is said to have fired upon the brother of the informant, which led to his death. So far the petitioner is concerned, he is said to have fired upon the informant but the same did not hit him. Hence no offence under Section 307 of I.P.C. is made out against the petitioner. The petitioner had no intention to commit murder of the informant.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Begusarai in connection with Fulwariya P.S. case No.124 of 2019.

(Sudhir Singh, J)

Narendra/-

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