

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11647 of 2020

Arising Out of PS. Case No.-29 Year-2018 Thana- TEGHRHA District- Begusarai

AMAN KUMAR @ FANTA (Male), aged about 23 years, S/o Sadanand Singh @ Futo, Resident of Village-Hasanpur, P.S.-Teghra, District-Begusarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Prakritita Sharma, Advocate.

For the Opposite Party : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 326, 307, 302/34 of the IPC and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 26.01.2018 at about 11.20 A.M. the informant alongwith Sanjeev Kumar, Lalu Kumar and Bishwanath Singh were going to bring diesel from Sahu Petrol Pump, Teghra, and as soon as when they reached near High School, Teghra, where he saw 5-6 persons armed with pistol were chasing his son Kunal Kumar and his friend as Gulshan Kumar. The informant also saw that Raman Kumar, Rahul Kumar @ Master, Rishi Kumar and Aman Kumar @ Fanta (petitioner) were chasing his son and claimed to



identify the remaining accused persons after seeing them. Further alleged that Raman Kumar fired upon the son of the informant, namely, Kunal Kumar which hit on his chest and Rahul Kumar and Rishi Kumar fired by their pistol which hit on the abdomen to the son of the informant who fell down and died at the spot. Further alleged that Aman Kumar fired upon Gulshan Kumar which hit on his ribs who fell down and the accused persons fled away towards Village-Daniyalpur, Sanjeev Kumar brought Gulshan Kumar to the Hospital.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 21.04.2018. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The deceased is one Kunal Kumar. Co-accused Raman Kumar is said to have fired upon the son of the informant Kunal Kumar which hit on his chest and co-accused Rahul Kumar @ Master and Rishi Kumar are also said to have fired upon the son of the informant Kunal Kumar which hit on his abdomen as a result of which, he succumbed to the injuries. Aman Kumar @ Fanta (petitioner) is said to have fired upon Gulshan Kumar, friend of



the deceased, which hit on his ribs. There is no allegation of assault upon the deceased by the petitioner.

Earlier bail application of the petitioner was rejected by the then another Co-ordinate Bench of this Court vide Cr. Misc. No. 41602 of 2018 under order dated 12.07.2018 with a direction to the learned court below to expedite the trial. It is submitted that there is no chance to conclude the trial in near future.

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 the learned Additional District and Sessions Judge-V, Begusarai in S.T. No. 571 of 2018, arising out of Teghra P.S. Case No. 29 of 2018.

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(Sudhir Singh, J)

