

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11210 of 2020

Arising Out of PS. Case No.-123 Year-2019 Thana- CHIKSAUR District- Nalanda

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Kavindra Prasad S/o Laxman Prasad R/o village- Chandar Bigha, P.S.-
Chiksaura, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner,

informant and the State.

The petitioner, who is in custody since
23.12.2019, seeks bail in connection with Chiksaura P.S.
Case No. 123 of 2019 dated 23.12.2019 instituted for
the offences under Sections 302 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

According to the prosecution version, the
petitioner along with others, all armed with rifles, came
to the house of the informant and started firing. In the
meantime, the wife of the informant arrived who was
fired at by one Binod Prasad leading to her death. So far



as the petitioner and other accused persons are concerned, the allegation is that after the killing of the wife of the informant, they also fired at the house of the informant. Nothing has been stated in the FIR regarding the motive or the genesis of the occurrence.

However, learned counsel for the informant submits that there was some dispute with respect to construction of a drain in the premises of the informant.

Had that been the case, this ought to have been stated in the FIR.

Taking into account the fact that except for one accused person, who has been attributed with the act of firing at the deceased and killing her, there is no other injury to any other person.

The petitioner, who does not have criminal antecedents, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate, Hilsa (Nalanda) in connection with Chiksaura
P.S. Case No. 123 of 2019.

(Ashutosh Kumar, J)

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