

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 12982 of 2020

Arising Out of PS. Case No.-106 Year-2019 Thana- BELSAND District- Sitamarhi

SHIVAM KUMAR, Son of Shyam Babu Chaudhary, Resident of Village -
Chandauli, P.S.- Belsand, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-06-2020 This case has been heard through Video
Conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 379/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution case is that the informant has
submitted a written report on 14.07.2019 before the Officer
Incharge of Belsand Bazar, she alongwith her father (deceased)
was going to Belsand Bazar on Motorcycle. When they
proceeded further from Madhkaul village, co-accused Shobha
Prasad and Rahul Kumar upon one Motorcycle and co-accused
Ravi Kumar and Ratan Kumar on another Motorcycle and three



unknown on third Motorcycle overtook the Motorcycle of her father. Co-accused Rahul Kumar and Ratan Kumar had pistol in their hands. All of a sudden, co-accused Shobha Prasad stopped his Motorcycle in front of the Motorcycle of the deceased and said to kill the deceased. On that, co-accused Rahul Kumar and Ratan Kumar fired upon her father and three unknown miscreants also fired upon her father. Her father fell down. Thereafter, the informant informed her family members. The deceased was taken to Belsand hospital. The Motorcycle of the deceased was also taken away by someone else.

It has been submitted on behalf of the petitioner that the petitioner is not named in the FIR. His name has come in the present case on his confessional statement. The petitioner is student of Graduation. He has falsely been implicated in this case due to dirty village politics. The petitioner in custody since 22.10.2019 Charge sheet has been submitted in this case and charge has also been framed against the petitioner.

Learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, charge has been framed against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.



25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Belsand P.S. Case No. 106 of 2019 to the satisfaction of the learned A.C.J.M.-1st, Sitamarhi.

(Anjani Kumar Sharan, J)

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