

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18720 of 2020

Arising Out of PS. Case No.-442 Year-2019 Thana- KOTWALI District- Munger

SANATAN KUMAR @ SHANTANU @ SANATAN Son of Sanjay Kumar
Pankaj Resident of Village- Shadipur, Kali Mandir, P.S.- Kotwali, District-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-08-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Kotwali P.S. Case No. 442
of 2019, registered for the offence punishable under Section
302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on 30.10.2019 around
6.00 pm, Pawan Kumar (deceased) came out of his house stating
that he is going to Shadipur. The informant at 9.15 got
information that his brother (Pawan Kumar) has been shot. The
informant along with others went to Shadipur Badi Durga Sthan



and found the dead body of his brother lying in pool of blood and having bullet injuries on his chest, abdomen, foot etc. It is further alleged that on 27.10.2019, a scuffle took place between the deceased and the accused persons including this petitioner who threatened to kill him and today finding him alone they killed his brother.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case merely on suspicion. There is no eye-witness of occurrence. Petitioner was not present at the time and place of occurrence. Petitioner is in custody since 18.11.2019.

Learned APP however, vehemently opposed the prayer for bail and submitted that on his disclosure, arms and ammunitions used in the commission of crime were recovered from the house of co-accused.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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