

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25045 of 2020

Arising Out of PS. Case No.-257 Year-2016 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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RAJIV KUMAR @ JUBALI Son of Shri Ravindra Thakur, Resident of
Village- Repura, Police Station- Tajpur (Waini O.P.), District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 05-10-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Samastipur Muffasil P.S.
Case No.257 of 2016 registered under Sections 324, 307, 34 and
120(B) of the Indian Penal Code and under Section 27 of the
Arms Act.

The informant alleged that while he along with Pinku
@ Abhishek was returning to his house on motorcycle and when
they reached near gas godown, three persons came on two
motorcycles and the motorcyclists made indiscriminate firing.
The informant pointed a licensed pistol thereafter the accused
persons fled away. The informant identified two accused
persons as Jubali @ Rajiv Kumar and Satyam, who are also
accused in the murder of Mantu Sah.



Learned counsel for the petitioner submits that the informant received firearm injury on his finger and Pinku @ Abhishek, who was going along with the informant, received firearm injury on his chest. It is submitted that from perusal of the injury report of the informant, namely, Sachin Kumar, it would appear that Sachin Kumar got injury on his finger. Pinku @ Abhishek got injury on his chest but the informant did not disclose that whose firing hit Pinku @ Abhishek. Satyam Kumar Chaudhary @ Satyam, who was identified by the informant, has already been granted bail by order dated 08.09.2020 passed in Cr.Misc.No.22610 of 2020. The petitioner is in jail since 07.08.2019 and he has already remained in jail for more than a year. It is further submitted that one of the co-accused Brij Nandan Thakur has already been granted bail by order dated 29.11.2016 passed in Cr.Misc.No.51188 of 2016. The case of the petitioner stands on the same footing.

Taking into consideration the facts that three persons are alleged to have made firing in which the informant got firearm injury on his finger, Pinku @ Abhishek, who was accompanying the informant, got injury on his chest and other two accused persons, namely, Brij Nandan Thakur and Satyam Kumar Chaudhary @ Satyam have already been granted bail by



coordinate benches of this court and the petitioner is in jail for more than a year, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Samastipur in connection with S.T. No.655 of 2019 arising out of Samastipur Muffasil P.S. Case No.257 of 2016.

(Prabhat Kumar Jha, J)

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