

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22162 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- SAHPUR District- Patna

KARN RAJ @ PINTU @ CHINTU, aged about 25 years, Male, Son of Sharvan Kumar @ Ganga Rai, Resident of Urantola, P.S.- Shahpur, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Y. C. Verma, Sr. Advocate and Mr. Ghanshyam Tiwary, Advocate.

For the Opposite Party : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

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

The petitioner seeks bail in a case for the offence registered under Sections 302/34 of the I.P.C.

The prosecution story, in brief, is that on 18.01.2020 at about 8.00 P.M. in the night, co-accused Raushan Mahto who



was the friend of the elder brother of the informant, namely, Guddu @ Pankaj Kumar, came and took away him to the house of Karanraj @ Pintu @ Chintu for Birthday Party. Thereafter, at about 11.50 P.M., the informant came to know that his elder brother Pankaj was injured due to firearms injury near *Dainik Bhashkar Press* and fell down on the road. Before firing, there was clash between two groups. After getting information, the informant went there and saw that his elder brother fell down on the road in injured condition. The injured was admitted in High-Tech Hospital, Shaguna More, Patna, from there he was referred to P.M.C.H. where he succumbed to the injuries, in course of treatment.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 19.01.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence. The name of the petitioner has transpired in the present case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the



present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to 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 A.C.J.M.-1, Danapur, Patna, in connection with Shahpur P.S. Case No. 37/2020.

(Sudhir Singh, J)

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