

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21339 of 2020**

Arising Out of PS. Case No.-457 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

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RUPESH KUMAR SINGH Son of Sri Anil Singh @ Anil Kumar Singh
Resident of Village- Godhiyari, P.S.- Bishanpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Humanyu Ahmad Khan, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 24-07-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Laheriasarai P.S. Case No. 457 of 2019 registered under Sections 307, 353, 387 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant in sum and substance alleged that while he was on patrolling duty, he got information that 8-10 persons came in New Market and shot one shopkeeper. Having received such information, the informant went to the place of occurrence and saw 3-4 persons boarding on motorcycles. They made firing. The informant named the persons who made firing upon the informant and others as Raunak Singh, Samir Shahi and Raja Chaudhary. The petitioner is also named in the F.I.R. along with other accused persons.

Mr. Ajay Kumar Thakur, learned counsel for the



petitioner submits that eight persons are named in Laheriasarai P.S. Case No.456 of 2019 registered under Section 302 and other Sections of the Indian Penal Code for killing Navin Kumar Kasera, a shopkeeper. When the police reached at the place of occurrence, it is alleged that Raunak Singh, Samir Shahi and Raja Chaudhary opened firing on the police personnel but since the petitioner was also made accused in the murder case of Navin Kumar Kasera, the petitioner is also made accused in the present case. Petitioner has already been released on bail in Laheriasarai P.S. Case No.456 of 2019 vide order dated 04.06.2020 passed in Cr. Misc. No.15841 of 2020. Co-accused Monu Kumar has already been granted bail vide order passed in Cr. Misc. No.12820 of 2020. The case of the petitioner stands on the same footing. There is no allegation of firing at the police party against the petitioner.

Learned A.P.P. while opposing the prayer for bail submits that petitioner was accompanying the accused at the time of occurrence.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that petitioner is not alleged to have fired at police personnel, let the petitioner, above named, be released on bail on furnishing bail bond of



Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 457 of 2019.

(Prabhat Kumar Jha, J)

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