

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26810 of 2020

Arising Out of PS. Case No.-248 Year-2019 Thana- DIGHWARA District- Saran

1. KRISHANA KUMAR S/o Chansi Rai Resident of Village-Salholli Bhawangama, P.S-Akilpur, District-Saran.
2. Mukesh Kumar S/o Chansi Rai Resident of Village-Salholli Bhawangama, P.S-Akilpur, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through video conferencing.

The petitioners seek regular bail in connection with Sessions Trial No. 691 of 2019, arising out of Dighwara Police Station Case No. 248 of 2019, registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is that altogether 26 named accused persons, including the petitioners, and some unknown persons surrounded the son of the informant and demanded extortion and one of the co-



accused, Indal Singh, fired upon the son of the informant, who died instantly.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case with oblique motive. He further submits that altogether 26 persons have been named in the First Information Report, but the allegation of firing is only upon co-accused Indal Singh. He further submits that similarly situated co-accused persons have been granted bail by this Court, vide orders passed in Criminal Misc. Nos. 82020 of 2019 and 434 of 2020. He further submits that the petitioners are in custody since 26.08.2019 and 04.12.2019.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by this Court and there is no allegation of firing against these petitioners and they are in custody since 26.08.2019 and 04.12.2019 respectively, I am inclined to grant regular bail to the petitioners.

This application is allowed.

Accordingly, let the petitioners, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount



each to the satisfaction of learned 11th Additional Sessions Judge, Saran, at Chapra, in connection with Sessions Trial No. 691 of 2019, arising out of Dighwara Police Station Case No. 248 of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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