

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.22458 of 2020

Arising Out of PS. Case No.-195 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

SHANTANU KUMAR Son of Kanhaiya Kumar Singh Resident of Village-Ramdiri, Police Station-Matihani, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar

For the State : Mr. Kumar Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-09-2020 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 defect(s), as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case for the offence registered under Section 302/34 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in short is that son of the informant went out on the call of some. After some time, a friend of his son brought him in injured condition. It was said by one Bittu Kumar that 4-5 persons shot Ravish Kumar near Tea Stall. The son of the informant was taken to the doctor for treatment. The doctor referred him to Sadar Hospital for better treatment. Ultimately, the son of the informant



was taken to Alexia Hospital where the Doctor declared him dead.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 14-03-2020. The petitioner is not named in the FIR. His name transpired in this case in course of investigation on the basis of statements of chance witnesses whose statements were recorded u/S 164 Cr.P.C. It has been alleged by them that Golu or Shivam are said to have fired upon the deceased. No specific overt act is alleged against the petitioner nor any injury is alleged to have been caused by the petitioner upon the deceased.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 195 of 2020.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

