

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31347 of 2020

Arising Out of PS. Case No.-804 Year-2019 Thana- JAHANABAD District- Jehanabad
=====

KUNDAN KUMAR Son of Gyani Ram Resident of Village- Newari, P.S.
Makhdumpur, District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-12-2020 Heard Mr. Surendra Kumar Mishra, learned
counsel for the petitioner and Mr. Ajit Kumar, learned APP
for the State.

The petitioner seeks bail in connection with Jehanabad P.S. Case No. 804 of 2019 dated 09.10.2019 instituted for the offences under Sections 394 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

The father of the deceased has lodged the First Information Report alleging that while his son was coming back from a function, an attempt was made to snatch his mobile telephone. When this was protested, his son was shot at leading to his death.



Learned counsel for the petitioner has submitted that the implication of the petitioner in this case is because of the deceased having taken the name of a person called Kundan, which is the name of the petitioner as having played the crucial role in firing at the deceased. This statement was given by the deceased to his father. Learned counsel for the petitioner further submits that there are two persons with the same name and the house owner Rinku Devi has stated that there was dispute between the deceased and one Kundan, who is the son of one Dilip Ram. The petitioner happens to be the son of Gyani Ram and is, therefore, a different person and not the same person, who has been named by the deceased prior to his death.

Apart from this, it has been submitted that the name of the petitioner transpired after about 29 days of the occurrence and petitioner claims that he has no connection either with the deceased or any person with the same name with whom the deceased had some dispute.

The petitioner has been in custody since 16.12.2019 and is a person of clean antecedent.



Regard being had to the afore-stated facts, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Jehanabad P.S. Case No. 804 of 2019.

(Ashutosh Kumar, J)

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