

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30061 of 2020

Arising Out of PS. Case No.-270 Year-2019 Thana- SONBERSA District- Sitamarhi

1. KUNDAN KUMAR Son of Nageshwar Mahato R/o Village- Bela, P.S.- Sonbarasa, District- Sitamarhi.
2. Raja Mahato Son of Tej Narayan Mahato R/o Village- Bela, P.S.- Sonbarasa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-11-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioners seek regular bail in connection with Sonbarsa Police Station Case No. 270 of 2019, registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story, as per the First Information Report, is that the son of the informant was surrounded by the accused persons, named in the First Information Report, six in numbers, and they started indiscriminate firing upon him and it has further been alleged that co-accused Vivek Kumar caught



hold the son of the informant and co-accused Chandan Kumar shot him in his head and chest, leading to the death of the son of the informant.

Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and altogether six persons are named in the First Information Report, but the specific allegation of firing, leading to the death of the son of the informant, is against Chandan Kumar. He further submits that the petitioners have got no criminal antecedent, except petitioner no. 2, who has been implicated in one more case, bearing Sonbarsa Police Station Case No. 285 of 2019 after lodging of the present case. He next submits that the petitioners are in custody since 02.01.2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record, I am inclined to grant bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsa Police Station Case No. 270 of 2019.



It is further 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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