

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29845 of 2020

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

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DIPU @ DIPAK KUMAR @ AMAN KUMAR Son of Shambhu Prasad
Resident of Mohalla- Bishunganj, P.G. Road Jehanabad, P.S. and District-
Jehanabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gyanand Roy

For the Opposite Party/s : Mrs. Sahin Begum.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-11-2020 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 after restoration of normalcy.

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

The petitioner seeks bail in a case for the offence
registered under Sections 394/302 of the Indian Penal Code and
27 of the Arms Act.

Prosecution case in short is that while elder son of the
informant after watching the fair was returning home, in the
way, some unknown miscreants tried to snatch his mobile
phone. It is further alleged that the informant’s son protested as



a result of which, he was shot and in course of treatment, he died.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 17-12-2019. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is not named in the FIR. Subsequently, in course of investigation, the informant, in his restatement has named the petitioner for oblique reasons. There is no reason as to why the petitioner was not named in the FIR by the informant.

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, Jehanabad in connection with Jehanabad P.S. Case No. 804 of 2019.

(Sudhir Singh, J)

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