

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72887 of 2019

Arising Out of PS. Case No.-102 Year-2018 Thana- SIMRI District- Buxar

Sri Bhagwan Thakur, Son of Late Dhamla Thakur @ Late Ghamla Thakur
Resident of Village - Manikpur, P.S.- Simri, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Simri
(T.R.H.O.P.) P.S. Case No. 102 of 2018, registered under
Sections 147, 148, 149, 323 and 307 of the Indian Penal Code
and Section 27 of the Arms Act.

The accusation is that in the evening of 09.05.2018,
on hearing the Hullah, Amit Rai, son of the informant, Vinda
Devi, came out from the house and proceeded towards that
direction. At that time, villager, Bhagwan Thakur (petitioner)
shot fire through pistol at the belly of her son, Amit Rai with
intention to kill him then he fell down. Thereafter, her villagers,
Upendra Thakur having double barrel gun, Jitendra Thakur



having rifle, Yogesh Thakur and Ankit Thakur having country made pistol and Bhagwan Thakur (petitioner) having katta along with 20 to 25 unknown variously armed with weapons started firing. In the meantime, Bablu Pandey, Anil Pandey, Sunil Pandey and others also reached there and started counter firing, in which, Sunil Pandey and her son, Amit Kumar, sustained firearm injury. Thereafter, her son, Amit Kumar was rushed to the hospital, where treatment is going on.

Learned counsel for the petitioner submits that, in fact, due to playing of cricket quarrel took place, in which, firing started from both sides, in which, Sunil Pandey, sustained injury and died, regarding which, Simri P.S. Case No. 101 of 2018 is also instituted against the family members of the informant. Further submission is that, in fact, the deceased, Sunil Pandey, Bhagina of the petitioner, used to reside at the house of the petitioner and he died in the firing of informant's side.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in



connection with Simri (T.R.H.O.P.) P.S. Case No. 102 of 2018.

Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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