

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74825 of 2019**

Arising Out of PS. Case No.-543 Year-2018 Thana- KUDHNI District- Muzaffarpur

Abhimanyu Kumar Singh @ Abhimanyu Kumar @ Abhimanyu Singh @
Monu Singh, S/o Kapil Kumar Singh, Resident of Mohalla- Azad Colony,
Maripur, P.S.- Kazimohammadpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate.
Mr. Sanjay Kumar @ SK, Advocate
For the Opposite Party/s : Mr. Binod Kumar, Advocate.

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

ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Kudhani P.S. Case No. 543 of 2018, registered under Sections
364 and 504/34 of the Indian Penal Code and later on, Section
302 of the Indian Penal Code has been added.

The accusation is that informant, Deepak Kumar
received information on 29.10.2018 from Dharendra Kumar, to
the effect that his brother, Sachin Kumar @ Munna along with
Suraj Kumar, Dharendra Kumar and Chunnu Sah were taking
meal at Vaishali Hotel. At that time, Chandan Kumar, Sanu
Thakur, Bittu Kumar, Jugnu Singh and Monu Singh came there



and started to abuse and opened fire and kidnapped his brother, Sachin @ Munna boarding at WagonR vehicle. Thereafter, informant along with other family members reached at Vaishali Hotel and came to know about the aforesaid occurrence. The cause of occurrence is of money dispute in between his bother, Sachin @ Munna and Chandan.

Learned counsel for the petitioner submits that it would appear from the FIR that on the basis of Fradebyan of informant, Deepak Kumar, Kudhani P.S. Case No. 543 of 2018 was instituted on 30.10.2018 under Sections 364 and 504/34 of the Indian Penal Code at about 11 P.M. and later on, Section 302 of the Indian Penal Code added on 06.11.2018. Further submission is that the postmortem report attached with the case diary disclosed that over the unknown dead body, postmortem was held on 30.10.2018 at about 12.40 P.M. at S.K.M.C.H, Muzaffarpur and in the postmortem report, the P.S. case number is detailed as Paro P.S. Case No. 1069 of 2018 dated 30.10.2018, which indicates that after knowing about the murder of Sachin Kumar @ Munna, the informant lodged the present case about causing assault and kidnapping of his aforesaid deceased - brother due to grudge enmity showing the name of petitioner and three others. It is further submitted that



petitioner has no criminal antecedent and is in custody since 27.06.2019.

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 A.C.J.M.-III, West Muzaffarpur, in connection with Kudhani P.S. Case No. 543 of 2018. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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