

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82230 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- KHIRI MORE District- Patna

1. Gama Singh @ Ranjeet Singh, Son of Sudama Singh Resident of Village - Makhmilpur, P.S.- Kinjar, Distt - Arwal
2. Sanjeev Kumar @ Kariman Son of Sri Mahanand Singh Resident of Village - Makhmilpur, P.S.- Kinjar, Distt - Arwal
3. Niwas Singh Spm pf Sri Mahanand Singh Resident of Village - Makhmilpur, P.S.- Kinjar, Distt - Arwal
4. Om Prakash @ Jai Prakash Son of Sri Mahanand Singh Resident of Village - Makhmilpur, P.S.- Kinjar, Distt - Arwal
5. Shillu Kumar Son of Surendra Singh Resident of Village -Shankarpur, P.S.- Kinjar, Distt - Arwal
6. Ram Ratan Kumar Son of Late Ambika Singh Resident of Village -Shankarpur, P.S.- Kinjar, Distt - Arwal
7. Kishor Kumar @ Kishore Kumar Son of Raj Ballabh Singh Resident of Village - Bala Bigha, P.S.- Khiri More, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 26-06-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Khiri More P.S. Case no. 31 of 2019, registered under Sections 147, 148, 149, 341, 323, 325, 307, 504, 302 and 120(B) of the Indian Penal Code.

The accusation is that in the evening of



22.03.2019, informant Aniket Kumar along with his brother Mohan Pandit were going to Imanganj market for purchasing of goods. In the meantime, when they reached at Karpi more near the Hanuman temple then about 20 persons, including ten persons named in the F.I.R. came there having variously armed with weapons and attacked. In that course, he received fracture injury in his hand, while his brother Mohan Pandit was brutally assaulted. Thereafter, his brother Mohan Pandit rushed to Sadar Hospital, Arwal from where he was referred to PMCH, Patna, but he died on the road.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that petitioners are not named in the F.I.R. In course of investigation, the name of petitioners surfaced in the statement of witnesses Ashok Kumar and Ajay Kumar in addition to the F.I.R. named persons. Further submission is that no specific overt act has been attributed against the petitioners. Further submission is that it would appear from the Postmortem report of deceased Mohan Pandit that only one ante mortem injury was found on his head and in the case diary, which up to paragraph No.62, no injury regarding the informant has been detailed. The petitioners have no criminal antecedent.



Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-III, Danapur, Patna in connection with Khiri More P.S. Case No. 31 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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