IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74889 of 2019

Arising Out of PS. Case No.-350 Year-2019 Thana- SONEPUR District- Saran

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Aman Kumar @ Aman Prasad, Son of Shri Ashok Sah, Resident of Village - Sabalpur, Purani Chain Tola, P.S. Sonepur, District- Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rekha Prasad, Advocate.
For the Opposite Party/s : Mr.Ansar Ul Haque, APP

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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 Sonepur P.S. Case No. 350 of 2019, registered under Sections 323, 341, 504 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that Deepak Kumar, brother of the informant, Anil Kumar, was at his door along with his family members. At that time, Aman Kumar (petitioner), Kunal Kumar, Kundan Kumar and Shambhu Kumar accompanied to his brother, Deepak Kumar, towards the boring of Rak Ekbal Singh, where they started to abuse his brother. When his brother, Deepak Kumar, made protest then Aman Kumar (petitioner)

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shot fire at the belly of his brother, Deepak Kumar. On raising alarm, villagers came there and accompanied his brother at Ruban Hospital, Patna, for treatment.

Learned counsel for the petitioner submits that it would appear from the FIR that the informant is not the eye witness of the occurrence, while the occurrence is said to be taken near the village but in course of investigation, none had come to claim to be eye witness of the occurrence. Further submission is that, in fact, injured, Deepak Kumar, has not gave statement before the police while the police tried to record his statement. It is further submitted that petitioner has no criminal antecedent and is in custody since 03.09.2019.

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 Chief Judicial Magistrate, Saran at Chapra, in connection with Sonepur P.S. Case No. 350 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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