

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75143 of 2019**

Arising Out of PS. Case No.-286 Year-2019 Thana- KHUSRUPUR District- Patna

TUTU KUMAR @ KUMAR GAUTAM @ GAUTAM KUMAR Son of  
Yadevendra Jai Prakash Resident of Village - Nurundinpur, P.S.- Khusrupur,  
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Sinha

For the Opposite Party/s : Mr. Amit Kumar Rakesh

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

5      06-03-2020                      Heard learned counsel for the petitioner and learned  
counsel for the State being assisted by the learned counsel for  
the informant.

The petitioner seeks pre-arrest bail in connection with  
Khusrupur P.S. Case No. 286 of 2019 registered under Sections  
147, 148, 149, 341, 323, 307, 302 and 504 of the Indian Penal  
Code and Section 27 of the Arms Act.

Considering that the specific allegation of firing upon  
the deceased is against co-accused Sanjay Singh and Kranti  
Singh and apart from the allegation that the petitioner was also  
present at the time of occurrence, there is no allegation against  
him of any overt act as also that a co-accused Sunil Kumar  
Singh having identical allegation has already been granted pre-



arrest bail by a co-ordinate Bench of this Court vide order dated 25.11.2019 passed in Cr. Misc. No. 73869 of 2019, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Patna City, Patna in connection with Khusrupur P.S. Case No. 286 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Ashwani Kumar Singh, J)**

rohit/-

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