

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81960 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- ATHMALGOLA District- Patna

CHANDAN KUMAR Son of Late Barelal Rai @ Badelal Ray Resident of
Village - Kamrapar, P.S.- Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Athmalgola P.S. Case No.75 of 2019/G.R. No.580 of 2019
registered under Sections 147, 148, 149, 307, 448 and 504 of the
Indian Penal Code besides Section 27 of the Arms Act and,
subsequently, added Section 302 of the Indian Penal Code.

The accusation is that the father of the informant was
sleeping at the Bathan of his house. At that time, with an
intention to kill the father of the informant, the petitioner and
other F.I.R. named accused, seeing the father of the informant
alone, reached there and, thereafter, Rakesh Kumar, Dani Rai,
Sulli Rai and this petitioner caught hold of the hand and leg of



the father of the informant, whereas Rajiv Kumar shot fire at the father of the informant through pistol near his eye from close range, due to which the father of the informant sustained injury and started screaming. In the early morning, when the informant went to attend the call of nature, he found his father in a pool of blood and the aforesaid persons hiding themselves and seeing the occurrence. On the alarm being raised by the informant, the villagers rushed there and the father of the informant was taken to the hospital for treatment. Later on, the father of the informant died in course of treatment.

Learned counsel appearing on behalf of the petitioner submits that there is no eye witness to the occurrence. In fact, the father of the informant was shot fire by some unknown but due to dirty village politics and enmity, the petitioner and others have falsely been implicated in this case. The petitioner, in the present case, is in custody since 20.07.2019. Further submission is that the similarly situated co-accused Surendra Rai alias Suli Rai alias Sulli Rai has already been granted bail by a Bench of this Court vide order dated 20.09.2019 passed in Criminal Misc. No.58420 of 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 Sub Divisional Judicial Magistrate, Barh, Patna, in connection with Athmalgola P.S. Case No.75 of 2019/G.R. No.580 of 2019.

(Rajendra Kumar Mishra, J)

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