

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78697 of 2019

Arising Out of PS. Case No.-571 Year-2019 Thana- BIHTA District- Patna

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1. SHER BIHAR NUT @ SHERE BIHAR NUT Son of Umesh Nut Resident of Village - Raghapur Bihta, P.S.- Bihta, District - Patna.
 2. Dharmendra Nut Son of Rabindra Nut Resident of Village - Raghapur Bihta, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 17-03-2020 Heard the learned counsel for the petitioners

and the State.

The petitioners, who are in custody since 09.08.2019, seek bail in connection with Bihta P. S. Case No. 571 of 2019 dated 16.06.2019 instituted for the offence under Sections 302, 307, 326 and 34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

It appears that because of a dispute in a *Barat Party*, the petitioners and others resorted to firing. The informant, who is an eye witness to the occurrence, has stated that the shot fired by one Pintu Nut hit him in his



right leg. One Baban Nut is alleged to have fired from his weapon killing one Ram Ishwar Ram.

So far as the petitioners are concerned, it is alleged that all other accused persons also fired which led to injuries on the persons of Mirtunjay Kumar and Ramdev Paswan.

The learned counsel for the petitioners has submitted that the accusation against them is absolutely general and omnibus. Since specific accusation has been made against two of the accused persons, but nothing specific has been alleged against the petitioners, it has been urged that they be given the benefit of doubt at this stage and be released on bail.

The petitioners are persons of clean antecedents and the case-diary which has been received in this Court does not contain any injury report of aforesaid Mirtunjay Kumar and Ramdev Paswan.

Considering the aforesaid facts and taking into account the period of custody of the petitioners, they are



directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Danapur in connection with Bihta P. S. Case No. 571 of 2019.

(Ashutosh Kumar, J)

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