

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75904 of 2019

Arising Out of PS. Case No.-448 Year-2019 Thana- SAHARSA District- Saharsa

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GOLU SINGH Son of Kunwar Singh @ Kunwar Resident of Village - Naya Bazar, P.S.- Saharsa Sadar and District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 84478 of 2019

Arising Out of PS. Case No.-448 Year-2019 Thana- SAHARSA District- Saharsa

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BAUA SINGH @ PRIYANSHU SINGH Son of Sushil Kumar Singh Resident of Village- Chamtha, Laxman Tol , P.S.- Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 75904 of 2019)

For the Petitioner/s : Mr.Pawan Kumar Singh, Adv

For the Opposite Party/s : Mr.Shailendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 84478 of 2019)

For the Petitioner/s : Mr.Pramod Mishra, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-03-2020 Learned counsel for the petitioner is permitted to correct the father's name of petitioner-Baua Singh @ Priyanshu Singh.

Heard learned counsel for the petitioners and learned APP for the State in both the applications.

Petitioners seek bail in a case registered for the



offences punishable under Sections 302/34 of the I.P C and 27 of Arms Act.

According to FIR, three person including the petitioners fired at the brother of the informant, as a result whereof, brother of the informant died during course of treatment. The FIR reveals that the informant is not an eye witness of the occurrence. The Doctor has found single firearm wound, one of entry and another of exit, on the person of the deceased. It appears that some other eye witnesses stated before the police that it was petitioner-Golu Singh, who had caused firearm injury to the deceased whereas the deceased disclosed to the informant that all the three were his assailants.

Considering the conflicting evidence of the eye witnesses which is not corroborated by the medical evidence, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Saharsa Sadar P.S. Case No.448 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioners shall fully cooperate with the trial of the case as well



as the petitioners shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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