

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12509 of 2021

Arising Out of PS. Case No.-225 Year-2020 Thana- BARH District- Patna

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1. FEKAN PASWAN SON OF DEVNATH PASWAN R/o village- Sahri, P.S-
Barh, District- Patna
 2. NITISH KUMAR SON OF FEKAN PASWAN R/o village- Sahri, P.S-
Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ram Sevak Chaudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State through video

conferencing.

The petitioners have filed this application for grant of
regular bail in connection with Barh P.S. Case No. 225 of 2020
registered under sections 302 and 34 of the Indian Penal Code
and section 27 of the Arms Act.

As per allegation in the FIR, it is stated that Nitish
Kumar took the son of the informant where the other accused
persons were present. Thereafter, it is stated that Suraj Kumar
shot the son of the informant leading to his death.

It is submitted by learned counsel for the petitioners
that allegations as levelled against the petitioners in the FIR are



false and concocted. The main allegation of firing is against Suraj Kumar. The two external injuries found in the postmortem report, as mentioned in the order of the learned court below, are one wound of entry and one wound of exit. The petitioners have no criminal antecedent and are in custody since 26.6.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the sole assailant of the deceased is Suraj Kumar and the petitioners having remained in custody for 1 year, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Barh P.S. Case No. 225 of 2020 on each of them on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate I, Court, Barh, District Patna.

(Partha Sarthy, J)

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