

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16505 of 2021

Arising Out of PS. Case No.-483 Year-2020 Thana- KHAGARIA District- Khagaria

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KUSH KUMAR @ SATYAJEET KUMAR Son of Late Sushant Singh
Resident of Village and P.S.- Matihani, District - Begusarai and at present
resident of village - Rahimpur, Tola- Charkhutti, P.S.- Muffasil, Khagaria,
District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ram Nibash Prasad
For the informant	:	Mr.Kalyan Shankar.
For the State		Ms. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 24-11-2021 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned APP for the State.

Petitioner seeks bail in connection Khagaria (Muffasil)
P.S. Case no. 483 of 2020 registered for the offence punishable
under sections 147, 148, 149, 341, 323, 325, 307, 385, 504 of
the Indian Penal Code read with section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 26.08.2020 and charge sheet has
been submitted in this case. Learned counsel for the petitioner
further submits that from bare perusal of the allegation as
alleged in the FIR, it would manifest that the informant alleges
that on on 07.07.2020 while he had gone to collect grass, this



petitioner along with 13 named accused persons surrounded the petitioner and it is alleged that they were variously armed and thereafter, it is alleged that Pappu Chaudhay fired on account of which the informant was hit on his leg and he fell down and thereafter, it is alleged that all accused started abusing the informant on the ground that he had given evidence in a case as a result of which accused have lost Rs 5 lac and thus, by way of Rangdari, they demanded Rs 5 lac from the informant and when the informant refused all accused persons assaulted him leading to fracture leg and hand. Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that allegation against this petitioner is general and omnibus. Allegation of firing is against Pappu Chaudhary, further that there is land dispute between the parties for which Title suit no. 37/2015 is pending.

Learned counsel for the informant vehemently opposed the bail application but very fairly submitted that allegation against this petitioner is not serious.

Learned APP also opposed the prayer for bail.

Considering the facts that petitioner is in jail custody since 26.08.2020, charge sheet has been submitted and there is land dispute between the parties, the petitioner is directed to be



released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Khagaria (Muffasil) P.S. Case no. 483 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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