

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38283 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- BALIYA District- Begusarai

Rupesh Kumar Son of Rulendra Mahto @ Fulendra Mahto Resident of Ward No.22, Lakhminia Hanuman Mahto Tola, Balia, Lakhminian, Lakhminia Bazar, P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K.Lal
		Mr.Pritish Kumar Lal
For the Opposite Party/s	:	Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-12-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Balia P.S. Case No. 242 of 2020, registered for the offence under Sections 341, 302, 504, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, FIR named accused persons and other unknown miscreants surrounded brother of the informant and made indiscriminate firing causing his death.

Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation. Specific allegation of causing fire-arm injury is against FIR named accused persons. Only material against the petitioner is that he was present at the place of occurrence and there is no allegation of overt act against him. Petitioner has got clean antecedent and he is in custody since 22.01.2021.



Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Balia P.S. Case No. 242 of 2020.

(Prabhat Kumar Singh, J.)

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