

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35694 of 2020

Arising Out of PS. Case No.-156 Year-2019 Thana- RUPAULI District- Purnia

Gulshan Kumar @ Gulshan Yadav S/o Late Umakant Yadav R/o Khalifa Tola,
Kadwa, P.s.- Chousa, Distt.- Madhepura Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Sanjeev Kumar Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 18-01-2021 Heard learned senior counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Rupauli P.S. Case No. 156 of 2019 registered under sections 302, 307, 341, 120 B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, while the father of the informant was returning on his motorcycle, three accused persons shot at him as a result of which he died.

It is submitted by learned counsel for the petitioner that in the alleged occurrence as narrated in the FIR, one of the co-accused, namely, Ajeet Kumar was arrested and handed over to the police. In his statement which was recorded in course of investigation, he named co-accused Dharmendra Kumar and Suraj Kumar and not this petitioner. The daughter of the victim in her statement recorded on 3.2.2020 states that the name of the



petitioner transpired in the statement of the co-villagers. It is further submitted that the petitioner is in custody since 6.7.2020 and has not been put on test identification parade. He has no criminal antecedent. Referring to the supplementary affidavit, it is submitted that co-accused Ajeet Kumar has been enlarged on bail vide order dated 7.12.2020 (Annexure-1 A) passed in Cr. Misc. No. 24903 of 2020.

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

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 6.7.2020 and grant of bail to co-accused Ajeet Kumar, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rupauli P.S. Case No. 156 of 2019 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 Judicial Magistrate-1st Class, Purnia.

(Partha Sarthy, J)

sushma/-

U		T	
---	--	---	--

