

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41009 of 2020

Arising Out of PS. Case No.-266 Year-2020 Thana- SUPAUL District- Supaul

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1. Ranjeet Kamat Son Of Suresh Kamat Resident Of Village-Balwa Punarwas (WARD No.15), P.S And District-Supaul.
 2. Vikash Kumar @ Anand S/O Binod Kamat Resident Of Village-Balwa Punarwas (WARD No.15), P.S And District-Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. Balmukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-04-2021 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners have filed the instant application for grant of regular bail in connection with Supaul P.S. Case no. 266 of 2020 registered under sections 302, 144, 149, 323, 341 and 504 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated by the informant that the accused persons came variously armed. Ranjeet Kamat fired from his pistol as a result of which the informant's brother fell down injured. It is stated that the occurrence took place as a result of dispute relating to drain. It



is further stated that all the accused persons including both petitioners assaulted with lathi, danda, rod etc. Binod Kamat struck the informant on his head with a rod. The brother of the informant was taken for treatment but died on reaching Patna.

It is submitted by learned counsel for the petitioners that there is case and counter case between the parties and the allegations as levelled in the FIR are not only false but are also not supported by the postmortem report. So far as the allegation of firing on petitioner no. 1 is concerned, no corresponding injury has been found in the postmortem report and so far as the petitioner no. 2 is concerned, the allegations are general and omnibus in nature. It is submitted that against the allegation of assault by so many accused persons, from perusal of the postmortem it would transpire that no scalp laceration was found. The petitioners are in custody since 14.5.2020 and charge sheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners together with the contents of the postmortem report, the Court is inclined to enlarge the petitioners on bail. The



petitioners are directed to be enlarged on bail in connection with Supaul P.S. Case no. 266 of 2020 on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul.

(Partha Sarthy, J)

Prakash/-

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