

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39734 of 2020

Arising Out of PS. Case No.-313 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

RAJESH KUMAR Son of Dukhan Paswan Resident of Village - Baharbanni,
P.S.- Teghra, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of normal functioning of the court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 307, 34 of the Indian Penal Code and Section 27 of the Arms Act but charge-sheet has been submitted under Sections 147, 148, 149, 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case as lodged by the informant is that



when he was present at the Ice Cream shop of one Rahul Kumar, some accused persons came there. As soon as Rahul Kumar has left the counter for opening the ice cream box for providing the ice cream, in the meantime, one Saurav Kumar has shot fired which hit over the head of Rahul Kumar and thereafter all the accused persons have fled away by showing their weapons.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is specific allegation upon co-accused Saurav Kumar and there is general allegation upon the petitioner. He submits that brother of the informant namely Rahul Kumar has died on 28.06.2020 at Apolo Trama Centre, Patna during course of treatment. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 24.06.2020.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail **after verification of his criminal antecedent** on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Begusarai in connection with Town Police Station
Case No. 313 of 2020.

(Anjani Kumar Sharan, J)

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