

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82058 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- AGIAON District- Bhojpur

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KAMLESH SINGH, S/o Mrityunjay Singh, Resident of Village- Sahangi,
O.P.- Sahangi, P.S.- Garahani, District- Bhojpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Satyendra Kumar Srivastava, Adv.
For the State : Mr. Arun Kumar Pandey, APP
For the Informant : Mr. Ajay Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 11-01-2021 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State as well as learned
counsel for the informant.

The petitioner seeks pre-arrest bail in connection with
Agiaon (G) P.S. Case No. 114 of 2019, registered under Sections
302/34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that informant, Sunil Kumar Singh,
along with his cousin brother, Arun Kumar Singh, and Anil
Singh was present at his door in the evening of 05.08.2019, at
that time Chunnu Singh, Kamlesh Singh (petitioner), Mritunjay
Singh and Jai Prakash Singh, having kutta (country made pistol)
in their hands came there. On the order of Mritunjay Singh,
Chunnu Singh fired at the temple of Arun Kumar Singh, cousin
brother of the informant, who died on spot. Cause of
occurrence is the dispute arose due to Panchayat election.

Submission is that while the petitioner is named in the
first information report as a member of unlawful assembly, but,



no specific overt act has been attributed against the petitioner as there is specific allegation in the first information report that on the instigation of Mritunjay Singh, Chunnu Singh shot fire at the temple of deceased, Arun Kumar Singh, and petitioner has no criminal antecedent. Further submission is that co-accused, Mritunjay Singh, has already been allowed privilege of pre-arrest bail by a coordinate Bench of this Court in Cr. Misc. No. 69968 of 2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Agiaon (G) P.S. Case No. 114 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Ara, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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