

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18820 of 2022**

Arising Out of PS. Case No.-111 Year-2015 Thana- MATIHANI District- Begusarai

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Chunchun Singh @ Chunchun Kumar S/o Sri Rama Kant Singh R/o village-
Ramdiri, Ramnagar Tola, P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Matihani
P.S. Case No. 111 of 2015 registered for the offence under
Sections 324, 326, 307 and 34 of the Indian Penal Code and
Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.01.2021.

The allegation against the petitioner is to fire upon the
informant and others, causing fire arm injury, with intention to
cause death, in the background of previous standing land



dispute.

Learned counsel appearing on behalf of the petitioner submitted the specific allegation of firing is against co-accused, namely, Shrawan Kumar, where allegation against this petitioner is only to participate in the occurrence, without specifying any overt act, as it appears from perusal of F.I.R. itself. It is pointed out that petitioner has been involved in the present case only for the reason that petitioner is named in four other criminal cases. It is further submitted that petitioner has been remanded in the present case from Kbaiya P.S. Case No. 625 of 2018. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that allegation of firing is specific against co-accused, namely, Shrawan Kumar.

In view of the facts and circumstances, as mentioned above, as no overt act is attributed against this petitioner, where allegation is limited only to participate in the occurrence coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Matihani P.S. Case No. 111



of 2015 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 13th Additional Sessions Judge, Begusarai/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr. P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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