

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35340 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- PARBATTI District- Khagaria

1. Prasant Kumar S/O Vijay Chaudhary R/O Village-Srirampur Thuthi, P.S Parbatta, District-Khagaria.
2. Mitthu Kumar @ Ankit Kr. S/O Chitranjan Chaudhary R/O Village-Srirampur Thuthi, P.S Parbatta, District-Khagaria.
3. Natwar Kumar S/O Shankar Singh R/O Village-Srirampur Thuthi, P.S Parbatta, District-Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Section 302 of the Indian Penal Code and Section 27 of

the Arms Act.

The prosecution case as per F.I.R is that on

23.02.2020 at 9:30 A.M., the son of the informant

namely Sanjeet Kumar @ Chhotu went along with his

friends in Toodhi Village in a case related to bail and



promised to return within 1-2 days. However, on the same day, at about 2:30 P.M., her husband informed about the death of her son near the orchard of Akhilesh Singh of Village Toodhi. The informed raised a suspicion that the friends of his son might have killed the deceased.

It is submitted by learned counsel for the petitioners that petitioners were not named in the F.I.R and their names sprang up on the confessional statement of co-accused Gopi Kumar. The witness Rohit Kumar in his statement recorded under Section 164 Cr.P.C has stated that though the petitioners were present at the time of commission of murder but Gopi Kumar caught hold the son of the informant and Chhotu Kumar shot fire at him, as a result of which, he succumbed to the injuries. The postmortem report also suggests only one gunshot injury to the deceased. There is no specific accusation against the petitioners in the commission of murder of the son of the informant. A



statement has been made in para 3 of the petition that petitioners have no criminal antecedents.

Considering the aforestated facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of Additional Judicial Magistrate, 1st, Khagaria in connection with Parbatta P.S. Case No. 69 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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