

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26736 of 2022

Arising Out of PS. Case No.-386 Year-2021 Thana- HARSIDHI District- East Champaran

KINDEV PRASAD SON OF LATE JAGLAL SAH R/ O- VILLAGE-
HARSHIDI P.S.- HARSHIDI DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302, 120B read with 34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, it is alleged that two unknown miscreants boarded on motorcycle started firing on the son of the informant indiscriminately and due to which his son sustained four pellet injuries and became injured and fell down on the ground. The informant's son died on the way to hospital.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has sprung up in the confessional statements of co-accused persons Manish Kumar Patel and Abhimanyu Kumar who have stated the *modus operandi* as to how the occurrence took place. The petitioner is also accused in four other criminal cases which are related to Bihar Prohibition and Excise Act. The petitioner is in custody since 05.01.2022.

Learned A.P.P. for the State as well as Learned counsel for the informant Shri Deepak Kumar have vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, in connection with Harsidhi P.S. Case No. 386 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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