

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44490 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- DANAPUR District- Patna

Nunu Kumar Alias Satendra Kumar Son of Yugal Rai Alias Ashok Kumar
Resident of Mohalla - Awasthi Ghat, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rudra Deo, Advocate
For the State	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-12-2022 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 Danapur
P.S. Case No. 84 of 2022 registered for the offence under
Sections 302 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 03.02.2022.

The allegation against the petitioner is to commit
murder of brother of the informant, alongwith other co-accused



persons, by causing fire arm injury, due to previous enmity.

Learned counsel appearing on behalf of the petitioner submitted that save and except suspicion, nothing surfaced during the course of investigation to incriminate this petitioner with the present set of occurrence/murder, where informant is not the eye witness of the occurrence. It is submitted that as petitioner, alongwith other co-accused persons, threatened the son of the informant, he has been implicated in the present case. It is further submitted that this is not a case of calling of the deceased from home or of last seen rather from the face of F.I.R., it appears that deceased went outside home alone out of his own will. 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 the fact that informant is not the eye witness of the occurrence.

In view of the facts and circumstances, as mentioned above, as save and except suspicion, nothing surfaced during the course of investigation, where informant is not the eye witness of the occurrence coupled with the fact that chargesheet has



been submitted, let the petitioner, above named, is directed to be released on bail in connection with Danapur P.S. Case No. 84 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Danapur, Patna/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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