

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64036 of 2021**

Arising Out of PS. Case No.-295 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

AASHISH KUMAR S/o- Shankar Sah Resident of Mohalla - Patel Chowk,
Ward No. 31, P.S. - Nagar, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 31-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B)/34 of the Indian
Penal Code read with Section 27 of the Arms Act.

As per prosecution case, this petitioner along with co-
accused Sikandar Kumar Ram came to the house of the
informant and took away the son of the informant for tea at
07:00 p.m. on the alleged date of occurrence. Thereafter, they
called co-accused Rohit Kumar at the tea shop and Rohit Kumar
having armed came and on order of Sikandar Kumar Ram and
this petitioner, Rohit Kumar killed the son of the informant by
firing upon him.



Learned counsel for the petitioner submits the petitioner is not the assailant of the deceased. At best, petitioner is only the order giver and specific allegation of firing is against co-accused Rohit Kumar. Learned counsel submits that the petitioner is in custody since 29.04.2021, is a person with clean antecedent and charge-sheet has been submitted and co-accused Sikandar Kumar Ram has been granted bail by order dated 16.11.2021 in Cr. Misc. No. 46482 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 29.04.2021, is a person with clean antecedent and charge-sheet has been submitted and co-accused has been granted bail, the petitioner, above named, is directed to 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 learned Court below where the case is pending in connection with Begusarai Town P.S. Case No. 295 of 2021.

(Satyavrat Verma, J)

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