

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65012 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- BACHHWARA District- Begusarai

Golden Kumar @ Piyush Prince Son of Shri Praveen Kumar Singh Resident
of Village- Mokhtiyarpur, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Bachhwara P.S. Case No. 40 of 2021 registered for the offence punishable under Section 302/120B of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in brief is that one co-accused, Akhilesh Choudhary, invited the son of the informant on dinner and when informant reached to the house of Darshan Sada, he saw that his son was standing near the motor cycle and thereafter it is alleged that, in the meanwhile, all the FIR named accused persons and four unknown persons started firing on the son of the informant. It is further alleged that co-accused, Gopal Choudhary, fired first at the leg of informant's son, whereafter co-accused, Sushil Choudhary fired second shot hitting other leg of the deceased. When the deceased tried to run away, the



accused persons chased him and when the deceased fell, co-accused Prem Kumar Choudhary fired on the back and waist of the deceased and co-accused, Gopal Choudhary, fired on the chest and thereafter all the accused persons also fired on the son of informant. All the accused persons wielding weapons threatened the informant not to lodge the case otherwise he would be killed and fled away. The injured son of the informant was brought to hospital where he was declared dead by the doctor.

Petitioner is not named in the F.I.R. Name of the petitioner has come during course of the investigation in the confessional statement of co-accused Murari Kumar, but in the entire investigation, save & except confession of co-accused, there is no other tangible evidence against this petitioner. It is further submitted that two F.I.R. named co-accused, Prem Kumar Choudhary and Sushil Choudhary have been granted bail by this Court, vide order dated 28.01.2022 passed in Cr.Misc. No. 49522 of 2021 and Cr.Misc. No. 50392 of 2021 respectively. Petitioner is in custody since 16.07.2021.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of Chief Judicial Magistrate,
Begusarai in connection with Bachhwara P.S. case No.40 of
2021.

(Prabhat Kumar Singh, J)

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