

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68422 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- BIRPUR District- Supaul

Chandan Kumar @ Chandan Kumar Goit Son of Narayan Yadav @ Narayan Kumar Goit Resident of Village - Jagi Araj Koshikapur, Ward no.13, P.S.- Birpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari

For the Opposite Party/s : Mr.Umanath Mishra

Mr.Rajeev Shekhar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Birpur P.S. Case No. 85 of 2020, registered for the offence under Section 341, 342, 307, 302, 120(B), 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., on 07.05.2020, while the husband of the informant was returning from his godown alongwith his nephew (भगीना) and reached near Barh Sthal, all the F.I.R. named accused persons including this petitioner surrounded them and co-accused Jagdish Korogia fired from his country-made pistol upon the husband of informant, due to which, he fell down. It is further alleged that co-accused Kundan Kumar fired upon the nephew of husband of informant, which hit his chest, on account of which, he died.



It is submitted on behalf of petitioner that specific allegation of causing fire-arm injury is against other co-accused persons and so far as this petitioner is concerned, there is no specific overt act has been alleged against him. Other similarly situated co-accused persons have already been granted bail by this Court, vide orders contained in Annexure – 2 to the petition and petitioner is in custody since 13.09.2021.

Learned counsel for the State and informant opposed the bail petition and submitted that petitioner is named in the F.I.R. and during investigation, it has come that he has also participated in the occurrence.

However, considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M., Birpur, Supaul in connection with Birpur P.S. Case No. 85 of 2020.

(Prabhat Kumar Singh, J)

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