

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71720 of 2021**

Arising Out of PS. Case No.-108 Year-2021 Thana- HARSIDHI District- East Champaran

JITENDRA KUMAR @ RAJAN KUMAR Son of Indrajit Prasad @ Indrijit Prasad Resident of Village - Ramnagar Jagapakar, P.S.- Harsidhi, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mrs. Rina Sinha

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      26-04-2022                      Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Harsidhi P.S. Case No. 108 of 2021, registered for the offence punishable under Section 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the FIR, co-accused, Surendra Singh fired five times on the body of informant's husband which hit on his chest, head and neck and he died on the spot and this petitioner was apprehended on the spot.

It is submitted on behalf of the petitioner that specific accusation of firing is against co-accused, Surendra Singh. This petitioner is only alleged to be member of unlawful assembly and no overt act has been alleged against him.



Petitioner claims clean antecedent and is in custody since 18.03.2021 and investigation in this case is complete.

Counsel for the State, however, vehemently opposed the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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, East Champaran, Motihari in connection with Harsidhi PS case No.108/2021.

**(Prabhat Kumar Singh, J)**

BKS/-

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