

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.71475 of 2021

Arising Out of PS. Case No.-248 Year-2020 Thana- HATHAURI District- Muzaffarpur

Sunil Kumar Singh @ Sunil Kumar S/o Late Ram Nandan Singh Resident of
Village- Khanpur @ Baidhnathpur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120(B), 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, in brief, is that on 29.10.2020 at about 12:20 P.M. Satyanarayan Sahni and some unknown persons moved two to four rounds, around informant's cloth shop. After 20 minutes Raushan



Kumar and an unknown person entered into the informant's shop bearing mask and helmet. At that time, informant went out from his shop to eat some food. After entering into the shop accused fired on informant's son namely Sudhir Kumar and fled away. Informant was bringing his to S.K.M.C.H., Muzaffarpur for treatment but he died on the way.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of self confessional statement of the petitioner. He further submits that it appears from the F.I.R. that co-accused Raushan Kumar and one another unknown person entered into the shop and fired upon the son of the informant. He further submits that the petitioner has no role at all in the present occurrence.

Learned APP for the State, on the other hand, on the basis of the material available on record as well as case diary submits that during investigation it has come that the petitioner fired upon the deceased and the bail application of co-accused Pankaj Kumar has been rejected by this Court vide order dated 23.03.2022 in Cr.



Misc. No. 48473 of 2021.

In view of the aforesaid, I am not inclined to enlarge the petitioner on bail in connection with Hathauri P.S. Case No. 248 of 2020 pending in the Court of learned Sri Deepak Kumar, Judicial Magistrate, 1st Class, Muzaffarpur (East). Prayer is refused.

(Rajesh Kumar Verma, J)

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