

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7949 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- MUFFASIL District- Aurangabad

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Surya Bhai @ Kamlesh Kumar Singh @ Sagar @ Kamlesh Singh, aged about 42 years, Male Son of Late Bigan Singh @ Sagar Singh, Resident of Village- Karmabigha, P.S.- Jamhore, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Aurangabad (Muffasil) P.S. Case No. 246 of 2022 dated 11.07.2022 registered for the offence punishable under Sections 147, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story in nutshell is that when the informant along with his father went to their field, in the meantime, thirteen accused persons including the petitioner came there and co-accused Sunil Chandravanshi and Rahul Chandravanshi started indiscriminate firing with pistol upon the



informant and his father, due to which the informant's father died on the spot.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and no overt act is levelled against him. Specific allegation of opening fire is against Sunil Chandravanshi and Rahul Chandravanshi. Petitioner is in custody since 03.08.2022, having no any criminal antecedent. The charge-sheet has already been submitted in this case against the petitioner and there is no chance of absconding of the petitioner or tampering with the evidence.

Learned counsel for the petitioner further submits that similarly situated accused persons namely Nathuni Mistri @ Nathun Mistri has been granted bail vide order dated 28.04.2023 in Cr. Misc. No. 13802 of 2023; Kamdeo Paswan has been granted bail vide order dated 25.02.2023 in Cr. Misc. No. 66750 of 2022 and Raja Kumar @ Raj Kumar has been granted bail vide order dated 09.02.2023 in Cr. Misc. No. 61765 of 2022.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case and considering the submission of learned counsel for the



parties, let the petitioner above named, be released on bail upon
furnishing bail bonds of Rs. 10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of the learned
Court concerned in connection with Aurangabad (Muffasil) P.S.
Case No. 246 of 2022.

(Sunil Dutta Mishra, J)

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