

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29697 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- KATHAIYA District- Muzaffarpur

1. CHANDAN KUMAR Son of Jagdish Rajak Resident of village-Thikwa Vasudeva PS-Kathiya, Dist-Muzaffarpur
2. Kundan Kumar Son of Jagdish Rajak Resident of village-Thikwa Vasudeva PS-Kathiya, Dist-Muzaffarpur
3. Jagdish Rajak Son of Late Dhooman Rajak Resident of village-Thikwa Vasudeva PS-Kathiya, Dist-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mrs. Jyotsna Rani Mishra
For the Opposite Party/s :	Mr. Choubey Jawahar
:	Mr. Sajay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

As per the prosecution case, On 01.12.2022 when son of the informant had gone to Laxmi Sweet House, one Vishal Kumar fired upon him as a result of which, he sustained injury and during the treatment the son of the informant died. It is also been alleged that the petitioners have hired Vishal Kumar to kill the son of the informant.

Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He further submits that petitioner's have no motive or intention to kill the deceased. He submits that there is specific allegation against the co-accused Vishal Kumar who have fired upon the son of the informant and during the course of treatment he died. He further submits that there is no eye witness in the present case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State along with learned counsel for the informant opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kathaiya P.S. Case No.189/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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