

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37283 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- KAKO District- Jehanabad

1. Nehal Nandan Singh @ Niharnandan Singh Son of Ramta Singh R/O Vill.- Birra, P.S.- Hulasganj, Dist.- Jehanabad
2. Uttam Kumar Son of Nehal Nandan Singh R/O Vill.- Birra, P.S.- Hulasganj, Dist.- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nagendra Sharma, Adv.
For the Informant	:	Mr. Niraj Kumar, Adv.
For the Opposite Party/s	:	Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-07-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Kako P.S. Case No. 03 of 2024 dated 05.01.2024 registered for the offences punishable u/ss 147, 148, 149, 341, 342, 323, 307 & 302 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, It is alleged that on 04.01.2024 the informant along with her daughter was returning on a scooty after attending Civil Court Jehanabad in regard to a land dispute case, when she reached near Kadarua over bridge, three named accused persons armed with pistol in their hands



boarded on a motorcycle took over her scooty and stopped her. It is further alleged that all three accused persons have assaulted the informant and her daughter, in the meantime the co-accused Gaurav Kumar fired bullet on the informant's daughter and she died on the spot, when she raised alarm for help, one Uday Prasad came to help her then accused Sumit Kumar fired bullet on Uday Prasad and he got seriously injured. It is further alleged that on two motorcycles and a Scorpio, 10-11 named accused persons including the petitioners came there and they shot on the informant. It is further alleged that the main cause of the murder is the marriage and illicit relationship of the informant's son-in-law, Gaurav Kumar with another girl.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioners are only the order giver. There is no eye-witness of the alleged occurrence. There is no specific allegation of firing against the petitioners. The specific allegation of firing is against the co-accused, Gaurav Kumar and Sumit Kumar. Similarly situated co-accused has already been granted bail by this court vide order dated 29.04.2024 passed in Cr. Misc. No. 25997 of 2024. The petitioners have three criminal antecedents as stated in para



3 of the bail petition. The petitioners are in custody since 07.01.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Jehanabad in connection with Kako P.S. Case No. 03 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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