

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38046 of 2024

Arising Out of PS. Case No.-212 Year-2023 Thana- MAHESHKHUNT District- Khagaria

1. Aman Singh Son of Sohan Singh R/O village- Patla ward no. 16, P.S. choutham, District- khagaria
2. Kum Kum Devi W/O Sohan Singh R/O village- Patla ward no. 16, P.S. choutham, District- khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seeks bail in anticipation of their arrest in a case registered for the offences punishable under Sections 302, 286, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned counsel for the petitioners submits that the petitioners are person with clean antecedent and petitioner no. 2 is a woman and the informant alleges that the accused persons came variously armed and Gopal Singh and his wife, Mamta gave orders to kill, on which Gopal, Prittam, Sahil, Amarjeet, Bittu, Aman, Paramjeet and Rajeev started firing



indiscriminately further, gunshot fired by Gopal hit his father on chest, then firing made by other accused hit his father on his body and his father died.

4. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of firing is alleged against Gopal, Pritam Sahil, Amarjeet, Bittu, Aman, Paramjeet and Rajeev.

5. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that Aman Kumar alias Chhotu aged about 25 years is alleged to have fired along with the other accused persons. It is next submitted that the present petitioner is Aman Singh, aged about 22 years (son of Sohan Singh), as such, Aman Kumar and Aman Singh are two different persons and petitioner no. 2 (Kumkum Devi is wife of Sohan Singh and mother of petitioner no. 1). It is further submitted that petitioners are not alleged to have fired, causing death of the father of the informant and allegation against them is general and omnibus in nature.

6. The learned APP for the State opposes the anticipatory bail application.

7. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Khagaria in connection with Maheshkhunt P.S. Case No. 212 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

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