

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38886 of 2024

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

1. Paramjeet Singh @ Golu @ Golu Singh Son of Rajeev Singh Resident of Village - Patla, Police Station - Maheshkhunt, District - Khagaria.
2. Aman Kumar @ Chhotu @ Chhotu Singh Son of Rajeev Singh Resident of Village - Patla, Police Station - Maheshkhunt, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Singh, Adv
For the Informant	:	Mr. Binod Kumar, Adv
		Mr. Rahul Singh, Adv
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 03-10-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Mahesh Khunt P.S. Case No. 212 of 2023 dated 16.10.2023 registered for the offences punishable u/ss 302, 286, 504 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 15.10.2023 at 7.30 P.M., the informant and his father Mithlesh Singh were feeding cattles at their basa. At some distance, the informant's father was sitting on the cot, in the meantime, the accused persons



surrounded the informant's father and abused him. On the order of the co-accused, Gopal Singh and his wife Mamta Devi, the petitioners and the co-accused persons holding country made pistol are alleged to have opened fire indiscriminately on the informant's father due to which he sustained firearm injury and fell down there. It is further alleged that the co-accused, Gopal Singh fired which hit on the chest of the informant's father. Other accused persons opened fire indiscriminately to kill the informant's father which hit on his body. On the sound of firing, several villagers assembled there then the accused persons fled away after firing. Thereafter, the injured was taken to the hospital where the doctor declared him dead.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Both the petitioners are full brother. It is submitted that the informant and the accused persons are agnates and co-villagers. The specific allegation of firing on the informant's father is against the co-accused, Gopal Singh rather the allegation against the petitioners is general and omnibus in nature. It is submitted that the informant and the petitioners belong to the same family and due to ancestral property the dispute is going on between both the parties. It is further



submitted that the previous enmity regarding the share of land and property was going on between the co-accused Gopal Singh and the Mithilesh Singh (deceased). Nothing has been recovered from the possession of the petitioners. The co-accused person has already been granted bail by this Court vide order dated 17.09.2024 passed in Cr. Misc. No. 31356 of 2024. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 17.10.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have 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) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Mahesh Khunt P.S. Case No. 212 of 2023 with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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