

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53304 of 2024

Arising Out of PS. Case No.-121 Year-2021 Thana- SAHPUR District- Patna

PINTU KUMAR SON OF SHAMBHU RAI RESIDENT OF VILLAGE -
SIKANDARPUR, POLICE STATION - SHAHPUR, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53787 of 2024

Arising Out of PS. Case No.-121 Year-2021 Thana- SAHPUR District- Patna

- 1. JITENDRA KUMAR SON OF KAMESHWAR RAI
- 2. KAMESHWAR RAI SON OF LATE TIRATH RAI
BOTH ARE R/O VILLAGE-SIKANDARPUR (NITISH AAHAR), PS-
SHAHPUR DISTRICT-PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 53304 of 2024)
For the Petitioner/s : Ms. Soni Shrivastava, Advocate
Mr. Sanjay Kumar Singh, Advocate
Mr. Gaurav Singh, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP
(In CRIMINAL MISCELLANEOUS No. 53787 of 2024)
For the Petitioner/s : Ms. Soni Shrivastava, Advocate
Mr. Sanjay Kumar Singh, Advocate
Mr. Gaurav Singh, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 13-09-2024 1. Heard learned counsel for the parties.
- 2. The petitioners have preferred this application for
grant of regular bail in connection with Shahpur P.S. Case
no.121 of 2021 registered under sections 302, 147, 148 and 149



of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that while his brother was called by one Vinod to settle the dispute between the parties, it is stated that the dispute between the parties increased to a great extent and pelting stones and firing started. It is further stated that as a result of firing resorted to by Munna Kumar and Sujit Kumar as also 9-10 other accused persons, the informant's brother sustained gunshot injuries and died. The informant states that he is convinced that Munna Kumar, Sujit Kumar and 9-10 unknown accused persons have murdered his brother.

4. Learned counsel for the petitioners submits that the petitioners are not named in the FIR. The allegations are specific on Munna Kumar and Sujit Kumar. Further referring to the order of the learned trial Court rejecting the application for bail of the petitioners, it is submitted that the name of the petitioners transpired in course of investigation after three months of the occurrence on the Investigating Officer recording the restatement of the witnesses. In spite of the same no specific role has been levelled against any of these three petitioners. The petitioners are in custody since 7.6.2024 and chargesheet has been submitted in the case. They have no criminal antecedent.



5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners, the nature of material that has transpired in course of investigation as is evident from the order of the learned trial Court, the petitioners being in custody since 7.6.2024, not having any criminal antecedent and chargesheet having been submitted in the case, the Court directs all the three petitioners to be enlarged on bail in connection with Shahpur P.S. Case no.121 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Danapur, Patna.

(Partha Sarthy, J)

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