

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69670 of 2023

Arising Out of PS. Case No.-712 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

1. RAKESH KUMAR SON OF BISHUNDEO SAH @ BISUNDEV SAH
RESIDENT OF VILLAGE - WARD NO. 5, KAMRUDDINPUR, PS-
MUFFASIL (SINGHAUL OP), ULLAS, DIST- BEGUSARAI
2. RAUSHAN KUMAR SON OF BISHUNDEO SAH @ VISUNDEV SAH
RESIDENT OF VILLAGE - WARD NO. 5, KAMRUDDINPUR, PS-
MUFFASIL (SINGHAUL OP), ULLAS, DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abul Kalam

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Town P.S. Case No. 712 of 2022 registered on 28.11.2022
lodged under Sections 302/120(B) of the I.P.C. and 27 of the
Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against three named accused persons against whom there is an
allegation that they have fired against the son of the informant
and upon making noise they fled away.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner



is in custody since 15.04.2023 having one criminal case pending against him, in which he is on bail. Charge-sheet has already been filed in this case.

5. Counsel further submits that from bare reading of the F.I.R., it is crystal clear that time of occurrence was about 6:00pm at evening on November, 28 and at that very time, sunset took place. Informant is aged about 60 years.

6. In support of his contention, counsel submits that the father of the petitioner has lodged F.I.R. Muffassil P.S. Case No. 528 of 2013 for offences under section 302/34 of the IPC and 27 of the Arms Act against the informant and his two sons for committing murder of his son in which three accused persons were convicted for life imprisonment bearing Session Trial No. 449 of 2014 and only with a view to take revenge present case has been filed

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate, 1st Class, Begusarai in connection withTown P.S.
Case No. 712 of 2022, subject to the conditions laid down
under Section 437 (3) of the Cr.P.C.

(Dr. Anshuman, J)

Sunnykr/-

U			
---	--	--	--

