

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33645 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -BIKRAMGANJ District- SASARAM (ROHTAS)

1. Amit Singh S/o Late Kamlesh Singh, resident of Village-Shivpur, P.S.- Bikramganj, District- Rohtas.

..... Petitioner/s
Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh
For the Opposite Party/s : Mr. Anuradha Singh (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-08-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 12.02.2015 in a case registered for offences punishable under Sections 307, 341, 504, 324/34 of the Indian Penal Code.

The prosecution case is based upon the fardbeyan of one Ranjan Kumar @ Chipis on 10.02.2015 at 10 P.M. stating therein that on the same day at 8.15 P.M. he alongwith his cousin brother namely Rakesh Singh @ Pintu Singh were returning home after having dinner from the Tilak Ceremony in the house of co-villager Ram Avtar Yadav and as soon as they reached near the house of co-villager Satendra Lal, accused Rahul Singh, Amit Singh and



Umesh Singh, armed with firearm stopped them and abused them. It is further stated that accused Rahul Singh stated that informant was contesting election of PACCS against him so he ordered to kill. Thereafter, accused Ramesh Singh and Ritesh Singh also reached there, having firearm in their hands and again Ramesh Singh ordered to kill upon which Amit Singh fired which hit informant's cousin Rakesh Singh @ Pintu Singh and when informant went there to save him then accused Rahul Singh fired which hit his left hand wrist and waist of the informant. It is further stated that Umesh Singh also fired at him but it did not hit. On hearing sound of firearm villagers started assembling there and all accused fled away.

It has been submitted by the learned counsel for the petitioner that he has been falsely implicated in the said case having committed no offence.

From perusal of the record, it appears that prior to lodging of F.I.R. against him and other persons, the petitioner filed informatory petition on 23.1.2015 before the Court of learned Sub Divisional Judicial Magistrate as Misc. Case No. 49/2015 alleging that the informant and other persons have threatened the petitioner and other accused persons with dire consequences. He further submits that the whole issue is with regard to election of

PACCS where the informant was declared unsuccessful.

It has also been pointed out that injury report contained in Annexure-2 states that the time of Admission is 6.45 P.M. but the informant in his F.I.R. has stated the time when all the accused persons assaulted the informant, was 8.15 P.M. which is self contradictory.

In view of the facts and circumstances, let the petitioner, namely, Amit Singh be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bikramganj (Rohtas) in connection with Bikramganj P. S. Case No.22/2015.

(Nilu Agrawal, J)

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