

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53590 of 2015**

Arising Out of PS.Case No. -428 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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1. Amit Kumar @ Amit Singh @ Ankit Kumar Son of Anil Kumar Sharma, Resident of Punjabi Mohalla, Naya Bazar,Lakhisarai, P.S. - Lakhisarai, District - Lakhisarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      24-11-2015      Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302, 379, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that son of the informant Ganesh Kumar, after receiving a call on his cell phone went outside and subsequently it was found that he has been shot dead. The suspicion was raised against the petitioner since there was land dispute between the victim and the petitioner from before for which a case was lodged.

It is submitted by learned counsel for the petitioner that though the petitioner was named only on the basis of suspicion but on conclusion of the investigation, the petitioner was not sent up for trial, though two other accused persons were chargesheeted, but differing with the final form,

cognizance has been taken against the petitioner also.

It is submitted by learned counsel for the informant that from the perusal of the F.I.R as well as the order of cognizance, it appears that on the basis of circumstantial nature of evidance, cognizance has been taken against the petitioner.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 428 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Shageer/-

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