

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41901 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

1. Amarjit Kumar @ Dhanava, Son of Uma Kant Singh, Resident of
Village- Bharsara, Police Station- Kargahar (Barhara) in the district of
Rohtas Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-10-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Karaghar
(Barhari) P.S. Case No. 115 of 2016 registered for the offences
punishable under Sections 341, 323, 326, 307, 504, 506/34 of the
Indian Penal Code.

Allegedly, the petitioner and other co-accused opened
fire, resulting, Suryanath Kumar, the husband of the informant received
injury in his stomach and thereafter, shopkeeper Mahadeo Sah and
Vishwanath Sah intervened into the matter and then the husband of the
informant started fleeing away but again firing was made which hit the
door plank of Shivilal Sah, thereafter the miscreants also opened four
round firing on Mahadeo Sah, and Vishwanath Sah and they fled away.
Mahadeo Sah and Vishwanath Sah identified the miscreants and named
the petitioner and others.

Submission is of false implication and that the injured has

been examined vide para 30 of the case diary wherein he has specifically stated that Vinod Chaudhary opened fire due to which he became injured and then Pintu Singh and Amarjit Kumar @ Dhanava (petitioner) also opened fire. Pintu Singh has been allowed bail vide Cri. Misc. No. 38107 of 2016 today itself. The petitioner is in custody since 1.7.2016, charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned A.P.P. fairly submits that the Pintu Singh has been allowed bail today itself.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M-II, Rohtas in connection with Kargahar (Barhari) P.S. Case No. 115 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)