

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31980 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -BANIAPUR District- SARAN

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Amit Kumar Singh @ Tuntun, son of Late Subash Singh @ Subash Prasad Singh, Resident of village- Hansrajpur, Police Station- Baniyapur, District- Saran (Chapra)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-08-2016

Heard Sri Kanhaiya Prasad Singh, learned Senior

Counsel, who was assisted by Sri Birendra Kumar Singh, learned counsel for the petitioner, learned Addl. Public Prosecutor as well as Sri Birendra Kumar Sinha, learned Senior Counsel, who was assisted by Sri Ujjwal Kumar, learned counsel, who has voluntarily appeared on behalf of the informant.

The petitioner, who is in custody since 03.05.2016 in connection with Baniyapur P.S. Case No.33 of 2016 registered for the offence under Sections 341, 307, 120(B), 387/34 of the Indian Penal Code and Section 27 of the Arms Act, has prayed for grant of bail.

Sri Singh, learned Senior Counsel appearing on behalf of the petitioner, while placing the bail petition, submits

that in the F.I.R., the informant has alleged that on the firing done by the petitioner he received injury on his right shoulder, whereas the injury report i.e. Annexure-2 to the present petition does not corroborate the same. He submits that the injury report suggests that he had received injury on his left shoulder, which was attributed to another person. He further submits that the reason for implication of the petitioner is that earlier in the year 2012, the petitioner's father had filed a complaint against the informant of the present case. On the aforesaid ground, a prayer has been made for grant of bail.

Sri Birendra Kumar Sinha, learned Senior Counsel appearing on behalf of the informant, opposing the prayer of the petitioner, submits that the petitioner is a habitual offender and he is accused in serious cases also, which have been mentioned in paragraph-3 of the petition.

In view of allegation made in the F.I.R. as well as antecedent of the petitioner, I am not inclined to extend the privilege of bail to the petitioner. The petition stands dismissed.

(Rakesh Kumar, J)

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