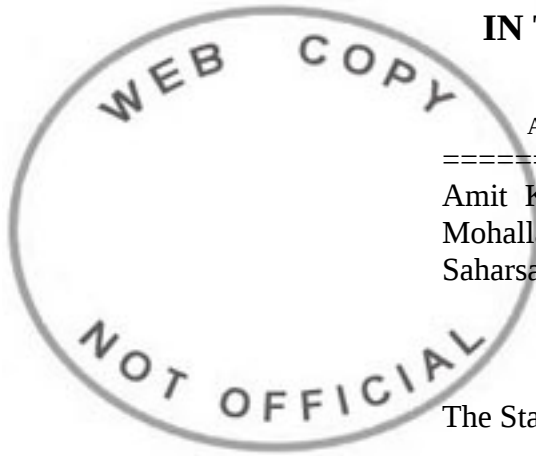




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27498 of 2016

Arising Out of PS.Case No. -87 Year- 2016 Thana -SAHARSA District- SAHARSA

=====

Amit Kumar @ Amit Kumar Singh S/o Sri Sashi Bhushan Singh R/o
Mohalla- Sant Nagar Hanuman Chowk, Ward No. 35, PS Saharsa District
Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Sadar Saharsa P.S.Case No.87 of 2016 for the offences
instituted under Sections 302, 34, 120(B), 341 of the IPC. And 27
of the Arms Act.

The prosecution story, in brief, is that on 30.01.2016 one
Gaurav Kumar was playing cricket with his friends near Karu
Khirhari halt and in the mean time two motor cycles and a four
wheeler vehicle with 12 to 15 boys came, whose names have been
mentioned in the F.I.R. including 4 to 5 unknown boys, out of



whom accused Dhanjit, Nishant, Shanni, Akash called Gaurav Kumar, whom this informant has also followed and as soon as he reached there accused Shashi fired on Gaurav with fire arm as a result of which he fell down and other accuse persons surrounded him and fired upon him on account of which he died. Even then the informant along with others took him to the hospital where Gaurav Kumar was declared dead.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the main allegation is against one Shashi who is said to have fired upon the deceased causing single fire shot injury. As far as the petitioner is concerned, there is no allegation of any overt act against him nor any injury is attracted against him.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Sadar Saharsa P.S. Case No. 87 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount

each to the satisfaction of the learned C.J.M., Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

AnilKrSinha/-

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