

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2827 of 2016

Arising Out of PS.Case No. -147 Year- 2015 Thana -SABAUR District- BHAGALPUR

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1. Amar Kumar Singh @ Amar Singh Son of Late Sidheshwar Singh,
Resident of Village - Garhi Rampur, Police Station - Naya Ram Nagar,
District - Munger. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 15-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Sabour P.S.
Case No. 147 of 2015 registered for the offences punishable under
Section 302 of the Indian Penal Code, Section 27 of the Arms Act
and Sections 3(ii) (v) of SC/ST Act.

Allegedly, the petitioner being constable shot Sanjay
Kumar Das, a literate constable, resulting, he succumbed to the
injuries.

Submission is of false implication and that there is no
eye witness of the occurrence, no one has seen the petitioner
committing the crime, in the seizure list case number is mentioned
which goes to show that the same was manipulated, first
information report has also been lodged after delay, the informant

is not the eye witness of the occurrence, without any legal and tangible material the petitioner is suffering in custody since 27.07.2015 to which learned APP seriously opposes by submitting that the witness Shiv Dayal Chaudhary has stated vide paragraph 35 of the case diary that the petitioner was standing aiming the rifle on Sanjay Kumar Das and Sanjay Kumar Das was twisting. Similarly other witnesses have also supported the prosecution version during investigation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, at this stage, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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