

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15859 of 2017**

Arising Out of PS.Case No. -74 Year- 2016 Thana -SULTANGANJ District- BHAGALPUR

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1. Premjeet Kumar @ Amarjeet Kumar Son of Dhirendra Kumar Mandal @  
Dhirendra Kumar Singh, Resident of Purani Durga Asthan, Sultanganj,  
Police Station Sultanganj, District Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ritesh Kumar Singh

For the Opposite Party/s : Mr. Suresh Prasad Singh

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

6      31-07-2017                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

Petitioner is languishing in custody since  
12.05.2016 in connection with Sessions Trial No. 609/2016,  
arising out of Sultanganj P.S. Case No. 74/16 for offences  
punishable under Sections 396/412 of the Indian Penal Code  
and 25(1-b) a, 26, 27, 35 of the Arms Act.

The prosecution case is that on  
06.05.2016/07.05.2016 in the night, a dacoity was  
committed in the house of the deceased and in course of  
committing the said crime, the deceased was killed.

It has been submitted by the learned counsel for  
the petitioner that he is innocent and has been falsely  
implicated in the aforesaid case. He submits that his name



surfaced on the statement of one Ankit Kumar, who was arrested on the spot, and the witness Sapna Kumari, who is niece of the informant. He submits that although charge has been framed, none of the witnesses have been examined up till now.

However, learned counsel for the informant and the learned APP for the State vehemently oppose the prayer for bail stating therein that the eye-witness has seen the petitioner committing robbery and on his order another co-accused fired at her father, as a result of which he succumbed to the injury and that the petitioner has as many as seven cases pending against him.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Sessions Trial No. 609/2016, arising out of Sultanganj P.S. Case No. 74/16, pending in the court of learned 3<sup>rd</sup> Addl. District and Sessions Judge, Bhagalpur.

Application is, accordingly, rejected.

**(Nilu Agrawal, J)**

Rajesh/-

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