

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46086 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Amrendra Singh @ Amrendra Kumar Singh son of Sri Ganga Dayal Singh, resident of Suryalok Colony, P.S.- Babarganj (Mojahidpur), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-10-2017 The petitioner seeks regular bail in connection with Mojahidpur (Babarganj) P.S. Case No. 75 of 2017, registered for offences punishable under Sections 302/34 of Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other accused persons is of firing on the deceased causing his death.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and there is difference in the statement of informant as in the F.I.R it has been stated that she had seen the petitioner and others, firing on the deceased whereas in the restatement she has stated that she saw the petitioner and others fleeing away, which itself shows the falsity of the case as in the night where there was no source of light, it is



difficult to believe that how informant identified the petitioner. it has also been submitted that petitioner's name has surfaced in this case at the instance of one Rajesh Yadav with whom petitioner was on inimical terms. Petitioner has been in judicial custody for last six months.

Learned counsel for the State opposed the prayer for bail and submitted that petitioner is named in the F.I.R and even in restatement informant has stated that she had seen the petitioner fleeing away from the spot.

Having heard both sides, considering the fact and circumstances of the case and nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, the court below is directed to expedite the commitment of trial and after commitment try to conclude the trial as soon as possible preferably within a period of one year.

(Vinod Kumar Sinha, J)

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