

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50890 of 2016

Arising Out of P.S. Case No. -60 Year- 2015 Thana - SURYAGARHA District - LAKHISARAI

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Amresh Kumar @ Amresh Singh Son of Sunil Singh R/o village -
Nandpur, P.S. Suryagarha, District - Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate and
Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 09-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. appearing on behalf of the State.

The petitioner seeks bail in Suryagarha P.S. Case No.
60 of 2015 registered under Sections 147, 148, 149, 342, 324, 326,
307, 504, 506 of the Indian Penal Code and Section 27 of the
Arms Act. Later on, Section 302 of the Indian Penal Code was
added.

It has been submitted on behalf of the petitioner that
the petitioner has allegedly fired at the deceased but from the
materials collected during the course of investigation it will appear
from paragraphs 10 and 59 of the case diary that nobody has seen
the occurrence and, as a matter of fact, the petitioner has falsely
been implicated in this case. It has further been submitted that
from the materials collected during the course of investigation as



well as from the F.I.R. it appears that firing was made by the petitioner but the post mortem report shows only one injury of entry and exit of bullet on the person of the deceased, as such, the whole prosecution appears to be false.

Heard learned A.P.P. as well as learned counsel appearing on behalf of the informant. Learned counsel for the informant as well as learned A.P.P. has opposed the prayer for bail of the petitioner and submitted that the petitioner is named in the F.I.R. and the petitioner has got criminal antecedents, further there is a direct allegation against the petitioner that he fired causing the death of the deceased.

Having heard both sides. In view of the fact that there is an allegation that the petitioner fired causing the death of the deceased, I am not inclined to enlarge the petitioner on bail in Suryagarha P.S. Case No. 60/2015. Accordingly, the prayer for bail of the petitioner is rejected.

(Vinod Kumar Sinha, J)

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