

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60809 of 2017

Arising Out of PS.Case No. -215 Year- 2015 Thana -AMARPUR District- BANKA

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Ghutar Singh @ Gutar Singh @ Sudarshan Singh @ Gutru Singh S/o Late
Praduman Singh, R/o Village- Jethor Jamua, P.S.- Amarpur, District-
Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 16-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Amarpur P.S. Case No. 215 of 2015 registered for
the offence punishable under Sections 147, 148, 149, 307, 324,
384, 386, 302 of the Indian Penal Code and Section 379 of the
I.P.C.

The FIR was instituted on the basis of written report
of the informant in which he stated that on 09.07.2015 at about
11.00 pm in the night he was checking the vehicles then suddenly
10-12 miscreants came and started indiscriminate firing, due to
this the employees working under the company namely Sanjeev
Kumar Singh, Krishna Kumar Singh, Sunil Singh and Dilip



Kumar sustained bullet injuries and become badly injured and thereafter all the accused person committed theft and looted away about Rs. 4 lacs alongwith challan book of the vehicles and mobile. It has further been stated that after the said occurrence the injured persons were taken to the referral Hospital, Amarpur but thereafter doctor referred the injured persons to Mayaganj Hospital for better treatment. During the treatment Krishna Kumar Singh and Sanjeev Kumar Singh died.

Learned counsel for the petitioner submitted that from perusal of the FIR it is apparent that there is general and omnibus allegation against the petitioner, there is no specific allegation against him of causing any injury upon the deceased or injured persons. It has been further submitted that no T.I.P has been done by the I.O. It has been further submitted that two separate FIR has been lodged, one by the informant of the present case and another one by the brother of the deceased. From perusal of the another FIR nothing has been said against the petitioner nor the petitioner has been made accused, the allegation is against other persons and the petitioner has been falsely implicated in this case. It has further been submitted that similarly situated co-accused namely, Babu Sahib who has been made accused in both the FIR has been granted bail by a Coordinate Bench of this Court vide order dated



15.11.2017 passed in Cr. Misc. No. 54791 of 2017. It has been further submitted that petitioner is in custody since 06.09.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Banka, in connection with Amarpur P.S. Case No. 215 of 2015.

(S. Kumar, J)

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