

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27573 of 2020

Arising Out of PS. Case No.-367 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

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SANJEEV KUMAR @ SAJEEP SINGH @ SANJEEV SINGH @ SANJIT
SINGH Son of Kamal Kishore Kumar Resident of Village- Durga Nagar, P.S.-
Sadar (Hajipur), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ansul

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Hajipur P.S. Case No. 367
of 2019, registered for the offence punishable under Sections
302, 307 and other allied sections of the Indian Penal Code and
section 27 of the Arms Act.

As per the prosecution case, this petitioner is alleged
to have fired, which hit on the chest of Abhishek Kumar cousin
brother of informant, as a result of which he died.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. Earlier, FIR was lodged by the mother of petitioner bearing Sadar PS Case No. 368 of 2018 vide Annexure-3 and in retaliation of that FIR, the present case has been lodged. From perusal of postmortem report, it appears that there was no exit wound. It is further submitted that in the FIR, petitioner is alleged to have fired from roof, but in postmortem report wound of entry was blackened, charred and was inverted which means firing was made from less than six feet. Petitioner is in custody since 08.10.2019.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific allegation against this petitioner that he fired from his gun resulting into death of Abhishek Kumar.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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