

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27830 of 2020

Arising Out of PS. Case No.-362 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

ASHISH KUMAR SINGH @ MANU S/o Late Ranjan Kumar Singh @ Late Raman Kumar Singh Resident of Village-Sabour, P.S.-Sabour, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2020 Heard learned counsel for the petitioner and learned APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case as lodged by the informant is that he along with his brother and Staff after closing the shop started to go home by motorcycle. It is said that Rajeev Kumar (brother of the informant) and his staff Vikash Kumar sat on one motorcycle and informant on another motorcycle. The informant went ahead and his brother behind him. After some time, Vikash Kumar informed that near Kaji Chak someone fired upon Rajeev then the informant went at the spot and took away the



injured at Mayaganj Hospital where the injured was declared dead.

Learned counsel for the petitioner submits that the petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that name of the petitioner has come in this case only on the basis of information made by the spy during course of investigation. He submits that nothing was recovered from the possession of the petitioner and no TIP has been done in this case. He further submits that petitioner is languishing in judicial custody since 27.02.2020.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected at this stage in connection with Mojahidpur P.S. Case No. 362 of 2019 pending before the court of the learned Chief Judicial Magistrate, Bhagalpur.

(Anjani Kumar Sharan, J)

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