

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64264 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- BARAUNI District- Begusarai

Amrit Kumar @ Botla @ Amrit Singh aged about 35 years (Male) Son of
Harish Chandra Singh Resident of Village Bihat, P.S. Barauni, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A.K.Thakur
For the State	:	Mr.Jitendra Kumar Singh
For the Informant	:	Mr. Ranjan Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 29-01-2020 Heard the parties.

The petitioner seeks bail in Barauni P.S. Case No. 280 of 2019 registered for the offence under Section 302 & other allied sections of the Indian Penal Code as well as Section 27 of the Arms Act.

The prosecution case, in brief, is that in the night on 27-06-2019 at about 12 AM, when the informant with her deceased son came out from her house to tie her cow, then all the F.I.R. named accused, including the petitioner, made indiscriminate firing on them, as a result of which, informant's son died on the spot and informant received gun-shot injury, for which, she was taken to hospital.

It is submitted on behalf of petitioner that there is



general and omnibus allegation against the petitioner and petitioner has falsely been implicated in this case due to enmity. Learned counsel for the petitioner has also taken the plea of *alibi* and in support of the same, he has relied upon certain paragraphs of the case diary. The petitioner is in custody since 30-06-2019.

Learned counsel for the informant as well as learned Addl. Public Prosecutor have vehemently opposed the prayer for bail. It was submitted by counsel for the informant that there is specific allegation against the petitioner alongwith other co-accused persons. It was further submitted that *post-mortem* report shows that deceased has got seven fire-arm injuries. The informant has also got two fire-arm injuries.

Considering the aforesaid facts and circumstances as well as *post-mortem* report, I am not inclined to grant bail.

The bail petition stands dismissed.

(Prabhat Kumar Singh, J.)

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