

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32608 of 2020

Arising Out of PS. Case No.-191 Year-2020 Thana- SIWAN CITY District- Siwan

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Amit Kumar @ Guddu, male, aged about 20 years, S/o Shiv Shankar Sah @ Shiv Shankar Prasad, Resident of Andar Dhala, Laxmipur, Police Station- Siwan Town, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 20-02-2021 Heard Mr. Raghav Prasad, learned counsel for the

petitioner and Md. Aslam Ansari, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Siwan Town P.S. Case No. 191 of 2020, dated 09.05.2020, instituted for the offences under Sections 341, 324 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is of having



opened fire at the informant which, admittedly, did not hit him. Later, the woman companion of the petitioner was nabbed by the members of the public. That time also, there was an allegation of firing on the accused persons. When one of the nephews of the informant tried to catch hold of the miscreants, he was also attacked by means of a knife.

In the F.I.R., it has been stated that sometimes prior to the occurrence, a scuffle had taken place between the son of the informant and one Ishwar Ram as well as the petitioner.

Learned counsel for the petitioner has submitted that because of past dispute of the petitioner with the son of the informant, he has been falsely made accused in this case. The allegation of firing at the informant does not appear to be correct as the firing was resorted to from a close range but admittedly, it did not hit anybody. It has further been submitted that there is no evidence on record to indicate that the firing was resorted to by the petitioner.

The petitioner does not have criminal antecedents.

Regard being had to the facts afore-stated, the



petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 191 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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