

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35159 of 2020

Arising Out of PS. Case No.-160 Year-2019 Thana- PHULWARIA District- Begusarai

AMIT KUMAR @ RUPAK KUMAR @ DIPAK @ KARI @KARO S/o Ram
Parvesh Prasad Singh R/o village- Singhpur, P.S.- Nayagaon, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Anupam
For the Opposite Party/s : Mr.Suresh Prasad Singh (APP)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 05-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Phulwaria P.S. Case No. 160 of 2019 registered for the offence
punishable under Sections 341, 307, 120B, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

It is the prosecution's case that because of certain
land dispute between the informant and others named in the
F.I.R, the petitioner and one Sumit Kumar were setup to kill
him. They, with the intention of killing the informant developed
acquaintance with him and thereafter on the date of occurrence
i.e. 15.11.2019, when the informant was on way to Masjid, the
petitioner and the co-accused opened fire aiming at him.

Learned Senior counsel appearing on behalf of the



petitioner has submitted that even as per the allegation in the F.I.R. that the fire was opened from behind the back of the informant and there was no occasion for the informant to have noticed as to who had opened fire. He has further submitted that the petitioner is in custody since 03.01.2020 and as the informant claims to be an eyewitness, there is no likelihood of tampering with the evidence or influencing the witnesses. From paragraph 3 of the application, it appears that the petitioner has criminal antecedent of his involvement in one more case.

However, considering the fact that the petitioner is in custody since 03.01.2020 and the submission advanced on behalf of the petitioner, as noted above, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- Ist, Begusarai in Phulwaria P.S. Case No. 160 of 2019.

(Chakradhari Sharan Singh, J)

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