

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39681 of 2020

Arising Out of PS. Case No.-219 Year-2020 Thana- RAJIVNAGAR District- Patna

AMIT KUMAR, Son of Anil Kumar Sharma, Resident of Biranchak Faridpur,
P.S.- Janipur, District - Patna presently at 2 Floor Ashiyana Geet Sadan, P.S.-
Rajeev Nagar, Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dinu Kumar, Adv.
	:	Mr.Ritu Raj, Adv.
	:	Mrs.Ritika Rani, Adv.
For the Opposite Party/s	:	Mr.B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 307, 504 and 34 of
the Indian Penal Code and Section 26 (1-b)a/26/27/35 of the
Arms Act.

The prosecution case in brief is that the petitioner
took the pistol from his waist and fired upon the informant with
the intention to kill which passed by touching the left hand of
the informant and the informant is injured with gunpower. The



petitioner was arrested on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is recovery of one loaded pistol from the possession of the petitioner. The petitioner is languishing in jail custody since 11.07.2020. The petitioner has completed the custody of six months. Similarly situated co-accused has granted bail by a Co-ordinate Bench of this Court vide order dated 22.01.2021 passed in Cr. Misc. No. 35621/2020.

Learned APP for the State opposes the prayer for bail petition.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna, in P.S. Case No. 219/2020 giving rise to Special Case No. 4379 of 2020.

(Anjani Kumar Sharan, J)

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