

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5673 of 2021

Arising Out of PS. Case No.-125 Year-2019 Thana- JAMUI District- Jamui

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KAMLESH KUMAR SINGH Son of Ramanand Singh Resident of Village -
Kakan, P.S.- Jamui, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 14-07-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 307, 302 of the Indian Penal Code.

Informant in his written complaint has alleged that on 05.03.2019 at about 2:00 pm when he along with his father were loading fodder on tractor in the meantime FIR named accused persons boarded on three motorcycle having pistol in their hand came and started firing on his father. First firing was made by Ganga Singh @ Manish Singh and after him Vinod Singh fired on the head of the father of the Informant. Thereafter Umashankar Singh fired on the head of the father of the informant and Kamlesh Singh (petitioner) fired on the eyes of the father of the Informant, on account of which his father

succumbed to his injuries and died on the spot.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case due to village politics. During the course of investigation no independent witness has come to support the case of prosecution. Petitioner is in custody since 21.12.2019.

Considering the fact that there is direct allegation against the petitioner of firing on the eye of the deceased as also being accused in similar nature of offence as disclosed in para 3 of petition, I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioner is hereby rejected.

(S. Kumar, J)

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