

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2743 of 2022

Arising Out of PS. Case No.-170 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Amol Chaudhary @ Amul Chaudhary S/O Ram Bilash @ Bhuttu Chaudhary
R/o Village- Khadiyahi, Ward No.- 1, P.S.- Bibhutipur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Bibhutipur P.S. Case No. 170 of 2021, registered for the offence punishable under Sections 302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, this petitioner caused firearm injury upon the brother of informant resulting into his death.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to previous enmity. Informant is not eye-witness of the occurrence. From bare perusal of FIR, it is apparent that the alleged incident took place in the night at around 9.00 PM and there was no



source of light and informant claimed to have identified the petitioner. Petitioner is in custody since 01.06.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is direct and specific allegation against this petitioner of causing firearm injury on account of which brother of informant died.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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