

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7638 of 2022

Arising Out of PS. Case No.-477 Year-2021 Thana- KADAMKUAN District- Patna

Aman Kumar S/O Bijendra Kumar Singh R/o village- Kishanpur, Bainkunth,
P.S.- Warisnagar, District- Samastipur, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sr. Advocate Yogesh Chandra Verma, Advocate

For the Opposite Party : Mr. Suresh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 27-07-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Kadamkuan P.S. Case No. 477 of 2021 registered for the offences under Sections 307/120(B)/34 of the Indian Penal Code and 27 Arms Act.

As per allegation, on 18.09.2021 at 6:00 am the informant was going on his scooty and when he reached near at the alleged place of occurrence then two accused persons opened fire at him and caused fire-arm injuries on different parts of his body and at that time one co-accused was standing near a motorcycle with the said two accused persons and the informant



made allegations against co-accused persons Khusbu Singh and Dr. Rajeev Singh that they always tortured the informant on account of some money transaction dispute and the said Khusboo Singh had threatened to kill the informant three months ago.

The main submissions advanced by learned counsel Mr. Binoy Kumar Sinha appearing for the petitioner are that the petitioner is not named in the FIR but his name surfaced in the statement of co-accused and the allegation of opening fire-arm is not against him and he has been languishing in jail since 01.12.2021. Further submissions are that the informant sustained fire-arm injuries at non-vital parts of his body and the petitioner is a student and presently pursuing B.B.A at Dehradun University and co-accused Dr. Ranjeet Singh has been granted bail vide order passed in BP No. 1864 of 2021

Learned APP Mr. Rajendra Prasad Nat appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and case diary. The paragraph no. 19 of the case diary goes to show that the police investigated the alleged occurrence on the basis of CCTV footage concerned to the relevant time of alleged occurrence of attempt to murder and in the CCTV footage three



accused persons were seen running away on an Apache motorcycle and further on getting clue from the said footage the police investigated other CCTV footage installed at different locations and in one of the footages one accused person was seen entering into the house named Kanchan Palace and thereafter the police got identification of the said co-accused with the help of the owner of said Kanchan Palace by showing the CCTV footage to him and on that basis the owner of Kanchan Palace identified this petitioner in this regard the paragraph no. 20 of case diary is important. The details of investigation mentioned in the paragraph no. 19 and 20 goes against the petitioner and shows his involvement in the alleged crime and moreover as per paragraph no. 3 of his petition he has criminal antecedent of two cases in which one was lodged under Arms Act. Considering these facts, this Court is not inclined to release the petitioner on bail at this stage. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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