

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27319 of 2022**

Arising Out of PS. Case No.-512 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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AMPU SINGH @ OM PRAKASH SINGH Son of Late Jagdish Singh R/o
village - Kukur Bhukka, P.S.- Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 28-09-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 307, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner is said to have fired on the informant injuring him.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 21.10.2021 (Annexure-1) giving liberty to the petitioner to renew his prayer for bail in case there is no substantial progress in the trial within six months of receipt of a copy of the order in the learned trial court. It is further submitted by learned counsel for the petitioner that the



petitioner is in custody since 7.9.2020 and inspite of his having remained in custody for more than two years, not a single witness has been examined on behalf of the prosecution. This is a case under section 307 of the Indian Penal Code.

A report was called for from the learned trial court. As per the report received contained in letter dated 20.8.2022, the case is fixed for appearance of the accused.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that the case is one under section 307 of the Indian Penal Code, the petitioner having remained in custody for 2 years and not a single witness having been examined on behalf of the prosecution in the learned trial court, the Court directs the petitioner to be enlarged on bail in connection with Gopalganj (Town) P.S. Case no.512 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gopalganj.

(Partha Sarthy, J)

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