

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37783 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- DESARI District- Vaishali

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AMARNATH SINGH @ AMARNATH KUMAR SINGH @ BANTHA S/O
BRAHMDEO SINGH @ BRAHAM DEV SINGH R/o village- Bhikhanpura,
P.S.- Desari (Chandpura O.P.), District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Vasant Vikas, Advocate
For the State	:	Mr.Pawan Kumar Chaurasia, APP
For the informant	:	Mr.Pusupendra Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2022 Heard learned counsel for the petitioner, learned APP
and learned counsel for the informant for the State.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegation is that co-accused Mithilesh Kumar and
Sonu Kumar alongwith three unknown persons demanded
extortion from the son of the informant, which was denied by
her son. Thereafter co-accused Mithilesh Kumar fired from the
pistol on the chest of her son, due to which he fell down. The



son of the informant was taken to the Hospital for treatment, but on the way he died.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Specific allegation of assault is alleged against the co-accused Mithilesh Kumar, who fired upon the son of the informant. The petitioner is not named in the F.I.R. His name has come in this case in course of investigation on the basis of confessional statement made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is not named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari



(Chandpura O.P.) P.S. case No.24/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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