

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37785 of 2022

Arising Out of PS. Case No.-814 Year-2021 Thana- KAHALGAON District- Bhagalpur

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AMARJEET KUMAR S/O GAJENDRA MANDAL Resident of Naya Nagar,
Gangaldai Ward No.- 2, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-10-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 302 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the co-accused person Neeraj Kumar fired on the head of the informant's minor son from behind with intent to kill during the marriage ceremony. The said arms belonged to the petitioner Amarjeet Kumar.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The specific allegation of firing is against the co-accused person. Charge-sheet has already been submitted against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. It is further submitted that during the course of treatment the informant's minor son died.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Kahalgoan P.S. Case No. 814 of 2021, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the prosecution will have liberty to move for cancellation of bail bond of the petitioner.

The application stands allowed.

(Chandra Prakash Singh, J)

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