

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57231 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Aman Kumar S/o Late Manoj Ray @ Manoj Kumar Resident of Village-
Rahepur, P.S.- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar No.1
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 307/34 of the Indian Penal
Code and Section 27 of Arms Act.

According to prosecution case, the informant namely
Nitesh Kumar filed a written report alleging therein that on
14.05.2020 brother of the informant Ritesh Kumar like earlier
came out of his house for running along with his friends for
selection in army. After coming from house brother of informant



was sitting with his friends, Sahil Kumar S/o Baddu Ray, Rakesh Kumar S/o Sanjay Ray at Bhuyinya Asthan at Manoj Chaudhary gumti and he was calling his other friends for running. Meanwhile Yuvraj Singh while riding KTM vehicle along with Aman Kumar (petitioner), son of Late Manoj Ray, who was sitting with him on bike. Both were coming from Mududabaad side. After reaching near brother of the informant Aman Kumar (petitioner) with intention to kill fired at brother of the informant. Petitioner fired three bullets out of which one bullet wounded brother of the informant near waist. After gunshot brother of informant fell down there after which friends of informant brother called informant, meanwhile both fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case due to previous enmity with the family of the informant. He further submits that in fact the petitioner is the cousin brother of the informant. He further submits that there is no eye witnesses of the alleged occurrence and during investigation nothing has come against the petitioner. The petitioner is in custody since 11.06.2021.

The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner on the basis of material available in the record and case diary submits that one independent witness namely Rakesh Kumar has supported the case of the prosecution and the injury report also corroborate the allegation as alleged in the F.I.R. and there is direct allegation against the petitioner.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Mohiuddin Nagar (Mo. Nagar) P.S. Case No. 101 of 2021 pending in the court of learned Additional Chief Judicial Magistrate-IV, Samastipur.

Prayer is refused.

(Rajesh Kumar Verma, J)

mdrashid/-

U		T	
---	--	---	--

