

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70806 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- MATIHANI District- Begusarai

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AMIT KUMAR @ LOLA S/o Rajnandan Singh R/o village- Badalpura, P.S.-
Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Pushpendra Kumar Singh
Divya Bharti, Advocates

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-06-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 353 and 34 of the Indian Penal Code and 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, three accused persons who were coming on a motorcycle resorted to firing on the police personnel. One of them, namely, Prince Kumar was caught and he disclosed the name of the two accused persons who managed to flee away which included the petitioner herein.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession.



The name of the petitioner and one Sanjeev Kumar transpired in the confessional statement of co-accused Prince Kumar made before police. Co-accused Sanjeev Kumar has been enlarged on bail vide order dated 3.2.2022 passed in Cr. Misc. no. 46202 of 2021. The petitioner is in custody since 18.3.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot, grant of bail to co-accused Sanjeev Kumar and the petitioner having remained in custody for more than 1 year, the petitioner is directed to be enlarged on bail in connection with Matihani P.S. Case no. 47 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, Begusarai.

(Partha Sarthy, J)

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