

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11789 of 2023

Arising Out of PS. Case No.-21 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

AMIT KUMAR Son of Ram Ashish Sahni @ Ram Aashish Shahni R/V-
Deopura, Samsa, P.s- Naokothi, Dist- Begusarai Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Archana Sinha, Adv.
Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 12-09-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Section 302, 120(B),34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, while the father of
the informant, namely, Ganesh Poddar (deceased) and
Chandan Kumar went to Deopura Chauk by motorcycle, in
the meantime, FIR named accused persons on two
motorcycle came to the place of occurrence and accused
Sanjeev Singh has shot fired to the father of the informant
thereafter he entered into the house. It is further alleged that
Sawet Kumar and petitioner have also fired incessantly as a
result of which he sustained injury and he fell on the



ground. When the informant went there to rescue his father, accused persons also opened fire upon him which got misfired. On hearing the sound of firing, villagers assembled there then they fled away.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to previous enmity. There is no specific allegation of firing attributed to the petitioner. Petitioner has not motive to kill the informant or his father. Petitioner is languishing in judicial custody since 24.08.2022.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that during investigation, several witnesses have supported the prosecution case. As per postmortem report, deceased, Ganesh Poddar received four entry wounds caused by fire arm. Doctor opined cause of death due to fire arm injury.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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