

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 25992 of 2023**

Arising Out of PS. Case No.-463 Year-2021 Thana- PATLIPUTRA District- Patna

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AMIT KUMAR SINGH @ VIRU @ SHEKHAR SINGH SON OF LATE
VIJAY KUMAR SINGH R/O THIRD FLOOR, F NANDAN RESIDENCY,
NAVADIH, P.S.- DHANBAD, DISTRICT- DHANBAD (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Niraj Gopal Sharan, Advocate

For the Opposite Party/s : Mr Ramchandra Sahni, APP

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CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2023 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 Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Pataliputra Police Station (for brevity, **PS**) Case No 463 of 2021 dated 13.09.2021 registered for the offence punishable under Sections 307, 115/34, 120B, 326 of Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, it is alleged that in the night of 12.09.2021 when the informant and his nephew were present



on the road, then he saw one white coloured Maruti Swift Dzire Car standing there and co-accused Rahul Kumar, petitioner and one unknown person were sitting in the car. It is further alleged that on the exhortation of the petitioner, the unknown person shot upon the informant due to which he sustained firearm injury on his chest. The unknown person fired another round of firing but the same did not hit him.

Learned counsel for the petitioner has submitted that the petitioner is simply an order giver. He is accused in four more criminal cases, as stated in paragraph 3 of the bail petition in which he is on bail in two cases. He is in custody in this case since 16.09.2021. The co-accused Ganesh Kumar and Rahul Kumar @ Rahul Sinha have already been granted bail by the coordinate Bench of this Court by orders dated 27.07.2022 and 28.03.2023 passed in Cr Misc No 23342 of 2022 and Cr Misc No 63910 of 2022 respectively.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of Additional Sessions Judge XVIII, Patna Sadar Court, Patna in Patliputra PS Case No 463 of 2021 dated 13.09.2021.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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