

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26059 of 2023

Arising Out of PS. Case No.-142 Year-2021 Thana- BUXAR District- Buxar

SATYAM SINGH @ SATYAM KUMAR Son of Shambhu Nath Singh At present Resident of Mohalla - Baba Nagar, P.S.- Buxar (Town), District - Buxar. Permanent address Resident of Village - Badki Kothiya, P.S.- Buxar (M), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 307/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that on 07.03.2021 at about 07:30 A.M., when the informant went at his shop, he saw a mob of people assembled in front of his shop. On reaching there, he came to know that three miscreants had come there on Pulsor and fired upon his shop. Seven empty cartridges have also been recovered near his shop.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No



such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is not named in the FIR. Nothing has been recovered from the possession of the petitioner. The name of the petitioner has been transpired in the present case merely on the basis of the confessional statement of co-accused. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that there is sufficient material in the case diary to show the complicity of the petitioner in the alleged occurrence.

Considering the facts and circumstances of case as well as nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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