

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23172 of 2022

Arising Out of PS. Case No.-397 Year-2021 Thana- FATUA District- Patna

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Amar Kumar Son Of Ram Chandra Das Resident Of Village - R.M.S. Colony,
Road No.14, P.S.- Kankarbagh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 302, 307, 341/34 of the Indian
Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that father of
the informant and driver was shot by bullet while they were
on the way to Patna in car bearing registration No. BR-0BB-
2951, due to which father of the informant succumbed to
injuries.

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and he has falsely been



implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 09.06.2021. It is further submitted that petitioner is not named in the FIR and his name sprang up in the case on the basis of confessional statement of Pawan Kumar. It is also submitted that no weapon or any ammunition has been recovered from the physical possession or from the house of petitioner and the alleged recovery shown as per seizure list is made falsely in which no signature either of the petitioner or of any family member of the petitioner has been taken, which shows false implication of this petitioner. It is further submitted that son-in-law of the deceased and brother-in-law of the informant is main culprit who has some grudge of money matter from the father-in-law in which the petitioner is nothing to do with the alleged occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused person has been granted bail by the co-ordinate Bench of this Court via order dated 19.09.2022, passed in Cr. Misc. No. 5460 of 2022.

Learned APP appearing for the State has



vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Fatuha P.S. Case No. 397 of 2021 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, Patna City.

(Sunil Kumar Panwar, J)

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