

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29022 of 2023

Arising Out of PS. Case No.-165 Year-2023 Thana- BIHTA District- Patna

AMIT KUMAR @ SARVESH KUMAR Son of Late Uttam Singh @ Uttam
Kumar Resident of village - Akhtiyarpur, P.S. - Bihta, Distt. - Patna
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302/120(B)/34 of the
Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, this petitioner (Amit
Kumar @ Sarvesh Kumar) along with other accused persons
killed the father of the informant by gunshot.

4. It is submitted that informant who claims to be an
eye-witness of the occurrence, has not named this petitioner in
F.I.R. It is specific case of prosecution that co-accused Manish
Kumar shot his father dead. There is no allegation of overt act
against this petitioner nor was he alleged to be armed with
weapon. Petitioner is only alleged to be present at the place of
occurrence.



5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.CJ.M. - 1st, Danapur, Patna in connection with Bihta P.S. case no 165 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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