

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33140 of 2023

Arising Out of PS. Case No.-217 Year-2013 Thana- AKBARPUR District- Nawada

Amresh Kumar @ Sintu Kumar Son of Shashi Bhushan Singh Resident of
village - Dariyapur, P.S.- Warisaliganj, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Akbarpur
P.S. Case No. 217 of 2013 registered for the offence under
Sections 448, 324, 307, 302/34 of the Indian Penal Code and
under Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 24.01.2023.

The allegation against the petitioner is to commit
murder of brother of informant/injured alongwith other co-
accused persons by causing firearm injuries, where occurrence
is alleged to be arises out of previous enmities.

Learned counsel appearing on behalf of the petitioner
submitted that informant/injured is the eye witness of the



occurrence and he categorically stated through present F.I.R. that only two persons were involved in firing i.e., named co-accused Pawan Singh and Siya Singh. It is submitted that other co-accused Siya Singh, specifically, alleged to cause fatal firearm injuries to brother of informant. It is submitted that name of this petitioner surfaced during the course of investigation as witnesses alleged this petitioner as to visit the in-law's house of named co-accused Pawan Singh and mere on the basis of said suspicion he was implicated with present case, having otherwise no bearing. While concluding the argument, it has been submitted that petitioner found involved in six cases where he acquitted in two cases and in remaining four cases he is on bail and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion nothing incriminating appears against this petitioner where specific allegation to cause fatal firearm injuries is available against co-accused Siya Singh coupled with the fact that charge-sheet has already submitted, let the petitioner, above



named, is directed to be released on bail in connection with Akbarpur P.S. Case No. 217 of 2013 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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