

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22426 of 2015**

Arising Out of PS.Case No. -14 Year- 2013 Thana -BARAHIYA District- GAYA

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1. Vikash Kumar @ Vikash Singh Son of Ramakant Singh Resident of  
Village - Garh Laxmipur, P.S. Barahiya, District - Lakhisarai

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Bharat Lal(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

5      07-10-2015                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

Petitioner seeks bail in connection with Barahiya P.S.  
Case No. 14 of 2013 registered for the offences punishable under  
Sections 302, 120B/34 of the Indian Penal Code.

Hearing the sound of firing the informant went ahead  
and saw some persons escaping and out of them in torch light he  
identified the petitioner, Raghbendra Singh and Raushan Singh,  
thereafter found his uncle Chunchun Singh dead. The deceased  
was returning with Subodh Singh and then, the incident occurred.

Submission is of false implication and that there is  
general and omnibus allegation, informant is not an eye witness of  
the occurrence and further in this case other co-accused namely,

Raushan Singh and Raghbendra Singh have been allowed bail vide Cr. Misc. No. 39852 of 2013 and 4673 of 2014 by another Bench of this Court.

Learned APP opposes the prayer of bail by submitting that the petitioner is the assailant as the eye witness Subodh Singh has stated that he shot Chunchun Singh vide paragraph 20 of the case diary and further the petitioner has criminal antecedent also as he is involved in six other cases and some of which are of Sections 302/34 of the Indian Penal Code.

Considering that the petitioner is the main assailant, this Court is not persuaded to grant the privilege of bail to the petitioner, accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial by taking all positive steps.

**(Jitendra Mohan Sharma, J)**

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