

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22428 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -BUDDHACOLONY District- PATNA

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Pramod Kumar Singh son of Late Sachidanand Singh, Resident of Flat No. 205, Vishal Ganga Apartment, Anandpuri, Devi Asthan, P.S.- Srikrishnapuri, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar Singh, Advocate
For the Opposite Party : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-08-2016 Heard learned counsel for the petitioner, learned counsel for the Informant and learned counsel for the State.

The petitioner is in custody in connection with **Budha Colony P.S.Case No.01 of 2016** pending in the Court of **Smt. Ritu Kumari, Judicial Magistrate, Ist Class, Patna** registered for an offence under Sections 302/34 of the IPC and Section 27 of the Arms Act.

As per the prosecution case, it is alleged by the informant that while he proceeded a little ahead in the light of his vehicle he saw that Pramod Kumar Singh prevented the way and fired upon his brother causing upon his head as a result, he fell down and thereafter died.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.01.2016. Chargesheet has been submitted in the case. Petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses against the petitioner. Petitioner and the deceased happened to be the cousin brothers. There is a civil dispute in respect to the property. The informant is a sole eye witness to the alleged occurrence.

On behalf of the State and the counsel for the Informant, it is submitted that the petitioner is named in the FIR. There is a specific allegation of firing against the petitioner causing fire arm injury to the deceased. The said allegation is supported by the postmortem report.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, the same is rejected.

Anyhow, the trial court is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

B.Kr./-

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