

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20132 of 2016

Arising Out of PS.Case No. -107 Year- 2013 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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Shashi Bhushan Singh @ Fauzi Singh son of Suresh Singh, R/o village-
Pagahiya, P.S.- Kathaya, District- Muzaffarpur.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Amitesh Kumar (App)

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

ORAL ORDER

3 29-06-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Dumariya
Ghat P.S. Case No. 107 of 2013 registered for the offences punishable
under Sections 324, 307, 387/34 of the Indian Penal Code.

Allegedly, four motorcycle borne miscreants came at
wine shop and put took five bottles wine and when the price was
demanded they handed over a pamphlet having threats therein and
further Fauzi, Fauzi, Fauzi was mentioned and they opened fire
causing injury in the abdomen of Om Prakash Jaiswal and thereafter,
they fled away.

Submission is of false implication and that there is no
legal and tangible material against the petitioner, someone has used the
alias name of the petitioner, the petitioner has been implicated in this
case only on the basis of his criminal antecedent and on the basis of
confessional statement of Arbind Singh, the Police after adopting 3rd

degree method has also got recorded the confessional statement of the petitioner, the petitioner is suffering in custody since 23.12.2013 but he has not been put on test identification parade and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that witness Vijay Gupta vide paragraph 15 of the case diary has stated that the petitioner has demanded ransom of rupees 5-6 lacs from him, witness Vijay Mukhiya has also stated the name of the petitioner vide paragraph 22 of the case diary and other witnesses have also stated the name of the petitioner.

In the facts and circumstances stated above, considering the materials collected during investigation against the petitioner and further his criminal antecedent, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, considering the period of detention, learned trial court is directed to expedite the trial and conclude the same as early as possible, preferably within nine months after taking the same on priority basis from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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