

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22796 of 2016

Arising Out of PS.Case No. -501 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Chanchal Kumar, Son of Arun Singh, resident of village- Madhaul, P.S.-
Rannisaidpur, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyavrat Verma, Advocate.

For the Opposite Party : Mr. Pranav Kumar(App).

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 11.03.2016
in connection with Runnisaidpur P.S. Case No. 501 of 2014 for
the offences instituted under Sections 302, 307, 120(B)/34 of the
IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 06.11.2014 at
about 4.00 P.M., the informant, his brother and Bhabhi were
returning the home from the court by Motorcycle and when they
reached near Takaur Petrol Pump at about 5.30 P.M., at N.H. 77,
then on two Motorcycles, six persons arrived and overtook them
with firing upon them causing injuries to them as a result of
which, the informant's Bhabhi, namely, Mala Devi, died on the



spot and the informant's brother Sudhir Kumar and the informant fell down by sustaining fire arm injuries. The motive behind the occurrence is that the informant's nephew Deepak Kumar has solemnized marriage with Bharti Kumari, daughter of co-accused Bachcha Singh, and on the day of occurrence both parties had come at the court in connection with that case bearing Runnisaidpur P.S. Case No. 212/2014 and the co-accused persons had threatened to kill them.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. No injury has been caused by the petitioner upon the deceased or upon the victim. At the time of occurrence, the petitioner was driving the motorcycle and the firing was made by the co-accused. Due to enmity the petitioner has falsely been implicated in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. and he had facilitated the shooters in making firing upon the deceased. The deceased had gone to the court in respect to bail application of her son. The deceased and the family members were threatening in the court premises by the

co-accused persons.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Runnisaidpur P.S. Case No. 501 of 2014, pending in the court of the learned C.J.M. Sitamarhi. The court below is directed to take all necessary steps to expedite the trial.

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(Sudhir Singh, J)