

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.13123 of 2017**

Arising Out of PS.Case No. -17 Year- 2005 Thana -RIVILGANJ District- SARAN

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Pappu Singh, Son of Late Shivji Singh, resident of Village Enai, P.S. Revilganj, District Chapra, Saran.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Manish Chandra Gandhi, Advocate.

For the Opposite Party : Mr. Satyavarat Verma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      20-04-2017                      Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 25.05.2012 in connection with Rivilganj P.S. Case No. 17 of 2005, corresponding to Sessions Trial No. 819 of 2010 for the offences instituted under Sections 302/34 of the IPC.

The prosecution case, in short, is that the informant alongwith his elder brother Niraj Kumar Singh went to take morning walk. It is further alleged that near Kamaldeo Tea Stall, co-villagers, Pappu Singh, Jai Prakash @ Bhular Singh and Ram Pratap Singh @ Judge were present. Two persons also came there on motorcycle. In the meantime, Jai Prakash hugged his brother and this petitioner shot fire on his elder brother Niraj Kumar Singh



with country made pistol. Other co-accused persons Jai Prakash Singh @ Bular Singh and Ram Pratap Singh @ Judge Singh also shot fire on his brother with country made pistol. Thereafter, he was admitted in hospital where he died.

The earlier two bail applications of the petitioner were rejected vide Cr. Misc. No. 41687 of 2012 dated 25.07.2013 and 38708 of 2014 dated 16.08.2016 by this Court. This is third attempt for grant of bail on behalf of the petitioner.

A report was called for from the court below regarding the stage of the case. It has been reported that the trial is expected to be concluded within a period of two months.

Considering the aforesaid facts and circumstances and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 819 of 2010, arising out of Rivilganj P.S. Case No. 17 of 2005 pending in the court of the learned Adhoc Additional District and Sessions Judge-Vth, Saran at Chapra.

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**(Sudhir Singh, J)**

