

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19879 of 2017

Arising Out of PS.Case No. -209 Year- 2013 Thana -AGAMKUAN District- PATNA

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Randhir Kumar Singh @ Natu Singh @ Randhir Kumar, Son of Late Sakaldeo Singh. Resident of Village Paighna, P.S. Ghoshwari, District-Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Babita Kumari

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 22-11-2017 Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner is seeking bail in connection with Agamkuan P.S. Case No. 209 of 2013 (S. T. No. 311 of 2014) for offence under Sections 302/120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner has also been made accused in Gandhi Maidan P.S. Case No. 182 of 2004 for offence under Section 399, 402 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act, Sultanganj P.S. Case No. 85 of 2012 under Section 399, 402, 414 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act, Agam Kuan P.S. Case No. 241 of 2013 for offence under Section 25(1-b)a/26/35 of the Arms Act.



The First Information Report has been lodged by the wife of the victim stating that the family was living in Maharaja Kameshwar Complex, Fraser Road, P.S. Kotwali, Patna, on 26.6.2013 at 8.45 AM, her husband as usual had gone to the Ware House which was under construction in a vehicle bearing No. BR 01 PC 3382, the driver was Shikandar, at 10 AM in the morning, she gave a call on the mobile of her husband, when he did not take up the call, she gave a call to his driver who informed the Informant that the deceased has received bullet injury and has died, instantly, the Informant along with her brother and her brother-in-law went to the place of occurrence and found the dead body of her husband. She had an apprehension that this incident has been done at the behest of Sanrankshita Devi and her brother-in-law Pravin Kumar.

The investigation started, the police has recovered CCTV footage, in the CCTV footage, the presence of the petitioner at the place of occurrence was found. It was also found that after the incident, the petitioner and other co-accused fled away from there and he was arrested in a vehicle along with the weapon alleged to have been used in the crime. The confessional statement of the present petitioner and other co-accused persons gave glimpse, in a systematic manner the deceased was killed. It



gives an only inference that it was a contract killing.

Learned counsel for the petitioner has placed reliance on three orders of this Court vide order dated 14.12.2016 in Cr. Misc. No. 53795 of 2016, order dated 8.4.2016 in Cr. Misc. No. 7930 of 2016, order dated 24.8.2016 in Cr. Misc. No. 30342 of 2016 and order dated 8.3.2017 in Cr. Misc. No. 10734 of 2017 and it appears from the order-sheet that the Court had no occasion to go through the case diary as the case diary. In this case, this Court has examined various paragraphs of the case diary i.e. paragraph nos. 179, 180, 225, 234 & 243, not only his presence in CCTV footage but, the movement of his mobile itself indicates the presence of the petitioner at the place of occurrence.

As has been informed that 10 witnesses have been examined and rest 16 witnesses are to be examined, this Court directs the court below to complete the trial on day-to-day basis.

Learned counsel for the Informant has produced the order-sheet of the trial court dated 31.3.2015 which reflects that the persons who have been enlarged on bail have assaulted the witnesses and threatened of life. He has also submitted that not only the pistol but also the chain of the deceased has been recovered from the petitioner which has been identified as the chain belonging to the deceased. There is a direct evidence of



driver who has also given vivid description of entire incident.

In that view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner namely Randhir Kumar Singh @ Natu Singh @ Randhir Kumar is rejected.

In view of the above, this application is dismissed.

(Shivaji Pandey, J)

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