

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33714 of 2017

Arising Out of PS.Case No. -141 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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1. Kaushlendra Singh Son of Maheshwari Singh, R/o Village- Kishanpur,
P.S.- Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv

For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioner, learned counsel for
the informant as well as learned APP.

Supplementary affidavit has been filed on behalf of
petitioner contradicting the earlier version having under para-3 of
the petition disclosing absence of criminal antecedents, being an
accused of Bathnaha PS Case No. 08/2005, taken on record.

While the prosecution party were engaged in preparation of
marriage ceremony of daughter, they were informed regarding
fishing from their pond whereupon brother of informant, namely,
Pawan Prasad rushed who was shot at by way of indiscriminate
firing. Informant as well as his father also rushed and during
course thereof, it has been alleged that Sanjay Singh, Vijay Singh,
Kaushlendra Singh @ Chhote (petitioner), Bhuneshwari Nandan
Singh, Rambali Ram made indiscriminate firing causing



instantaneous death.

It has been contended on behalf of the petitioner that he happens to be Pattidar of the informant. Also submitted that brother of petitioner had instituted one case at an earlier occasion and in the aforesaid background, he has been falsely implicated in this case. Also submitted that there happens to be omnibus allegation.

Learned APP opposed the prayer for bail.

Para-10 of the case diary contains statement of injured, Pawan Prasad who had not only shown the petitioner along with others to be assailant of deceased, Ram Ekbal Sah rather he had also fired upon the aforesaid injured. From the injury report, it is evident that Pawan Prasad had sustained four injuries caused by fire-arm while deceased had sustained similar number of injuries by means of fire-arm .

That being so, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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