

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68905 of 2018

Arising Out of PS. Case No.-92 Year-2018 Thana- PARWALPUR District- Nalanda

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Ashok Singh, Son of Late Raj Ballam Singh, Resident of Village- Dumri,
Police Station- Parwalpur, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-12-2018 Petitioner prays for bail in connection with Parwalpur P.S.Case
No. 92 of 2018 registered for the offences punishable under Sections
302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation as per FIR is that husband of informant was
sleeping along with Surendra Singh in her dalan and 4-5 persons came and
shot fire to her husband, due to which he died. It further appears from the
FIR that petitioner had threatened the deceased earlier of dire consequence
and due to which petitioner has committed his death.

Submission of learned counsel for the petitioner is that except
suspicion there is nothing against the petitioner and though there is
confessional statement of petitioner but that has no value in the eye of law
and further learned Additional Sessions Judge in the impugned order has
committed an error on record by stating that CDR location shows that
petitioner had talk with Karu Jamadar by 32 times on mobile though
paragraph 141 of case diary does not disclose so and petitioner is in
custody since 4.9.2018.



Heard learned APP and learned counsel for the informant. They have opposed the prayer for bail on the ground that petitioner is named in the FIR and there is allegation of threat against the petitioner to the deceased of dire consequence and further some paragraphs of the case diary disclosed that petitioner has enmity with the deceased with respect to Gair Majrue Land and deceased was obstructing him from grabbing the same and CDR location details also show that petitioner had talk with Karu Jamadar by 32 times which will appear from paragraph 141 of the case diary.

.Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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