

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15950 of 2019

Arising Out of PS. Case No.-195 Year-2017 Thana- MATIHANI District- Begusarai

Ashok Singh Son of Late Santu Singh Resident of Village- Ramdiri, Mahaji Tola, Police Station - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Shanker Prasad
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Matihani P.S. case No.195 of 2017 registered under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and 27 of the Arms Act, pending in the court of Sri Mohammad Junaid Alam, Judicial Magistrate, 1st class, Begusarai.

Allegation is that the co-accused Budhan Singh, Golu Singh and Raman Singh fired from their fire arms, which hit on the chest and neck of the brother of the informant. The petitioner and co-accused Kundan Singh also fired from their fire arms, which hit on the back of the brother of the informant, on account of which he died on the spot.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.02.2018. Charge sheet has



been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous enmity. The petitioner happened to be the eye witness in a case, in which the son of the informant was an accused for an offence under Section 302 of I.P.C. For the said reason, the present case has been instituted against the petitioner. Time of occurrence is 5 a.m. in the morning. Source of identification has not been disclosed.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is specific allegation of firing by the petitioner upon the deceased, which hit on the back of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

Narendra/-

(Sudhir Singh, J)

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