

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17229 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- KORMA District- Sheikhpura

SUSHIL KUMAR @ SUSHIL SINGH Son of Rama Nandan Singh Resident
of Village- Abgil, P.s.- Korma, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-04-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Korma P.S. Case No. 60 of 2018 for the offences punishable
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

The allegation as per the written complaint filed
before the Officer-in-charge, Korma (Sheikhpura) is that on
16.9.2018, at village Chour, the work of boring for laying hand
pump was being done in presence of the contractor, father of the
informant, namely, Mahesh Singh and one Niranjan Kumar. At
about 10 P.M., six persons came at the said place, out of which
three were Raushan Kumar, Mantu Kumar and Sushil Kumar
(i.e. the petitioner herein) and they are said to have taken out
pistol and kept on the forehead and on the left shoulder of the
father of the informant whereupon they said that despite demand
being made by them of Rs. 5 lacs, the money has not been sent,
to which the father of the informant replied that he is not an



outsider, whereafter co-accused Mantu Kumar had exhorted to kill the father of the informant and then both the co-accused persons namely, Raushan Kumar and the petitioner herein had fired on the father of the informant, apart from the co-accused Mantu Kumar also firing upon the informant. Subsequently, the villagers and the family members had come at the place of occurrence and it was found that father of the informant had died on account of gun shot injury.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on account of village politics and the petitioner is in custody since 2.12.2018. It is further submitted that though incident had taken place on 16.9.2018, the FIR has been lodged belatedly on 18.9.2018.

Having regard to the fact that the petitioner is also one of the assailant and he is alleged to have engaged in murder of the father of the Informant, I do not deem it fit and proper to grant the privilege of bail to the petitioner, hence, the present petition is dismissed.

(Mohit Kumar Shah, J)

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