

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22635 of 2019

Arising Out of PS. Case No.-794 Year-2018 Thana- ARA NAWADA District- Bhojpur

Tinku Singh Son of Sri Narbadeshwar Singh Resident of Village-Housing
Colony, P.S-Ara Nawada, District-Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Ara Nawada P.S. case
No.794 of 2018 registered under Sections 302/34 of the Indian
Penal Code, pending in the court of C.J.M., Bhojpur at Ara.

Allegation is that the accused persons including the
petitioner fired upon the informant's brother, namely,
Vishwajeet Tiwary, due to which he sustained injury on his head
and died.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 09.12.2018 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged
against the petitioner. The name of the petitioner has come in



the F.I.R. merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. In course of investigation, the witnesses in paragraph nos.12, 115 and 116 of the case diary have categorically stated that the petitioner along with other co-accused had fired upon the deceased, who succumbed to the said injury. The petitioner is one of the assailants.

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.

(Sudhir Singh, J)

Narendra/-

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