

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76250 of 2018**

Arising Out of PS. Case No.-7 Year-2018 Thana- SAMHO District- Begusarai

Rambali Singh @ Rambali Choudhary, Son of Shankar Choudhary, Resident of Village- Ladhauna, P.S.- Samho, District- Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                                      |
|--------------------|---|------------------------------------------------------|
| For the Petitioner | : | Mr.Satyam Shivam Sundaram, Advocate.                 |
| For the State      | : | Mr. Sanjay Kumar Pandey, A.P.P.                      |
| For the Informant  | : | M/S. Binod Kumar and Arun Kumar Gupta,<br>Advocates. |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

5      11-04-2019                      Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner is languishing in custody since 14.02.2018 in a case for the offence registered under Sections 302/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 13.02.2018 at about 11.00 the informant and her husband were mowing *Jai crops*, her Bhaisur Kiso Yadav and Dewar wee also mowing *Jai crops* in the neighbouring field when Hemant Chaudary @ Bhulla, Ujeet Chaudhary, Amit Singh, Rambali Singh (petitioner), Sanjeev Singh, Vikash Singh and Ranjeet Singh came, Bhulla Choudhary started beating the son of informant Rameshwar Kumar with butt of rifle causing injury and when



her husband went to save him Hemant Chaudhary shot at his chest. He fell down when Ujeet Choudhary, Amit Singh, Ram Bali Singh and Ranjeet Singh also shot the husband of the informant. The husband of the informant died when the accused persons fled away. The reason behind the occurrence was that the informant used to cultivate the field of Hello Singh for which the accused person protested the same.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Due to previous enmity, the petitioner has been made accused in the present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R. The petitioner is alleged to have fired upon left upper neck of the deceased. Postmortem report also supports the allegation made in the F.I.R.

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



rejected in connection with Samho P.S. Case No. 07 of 2018,  
pending in the court of learned S.D.J.M. Begusarai.

The court below is directed to take all necessary steps  
to conclude the trial preferably within a period of one year from  
the date of receipt/production of copy of this order.

The District Magistrate, Begusarai and the  
Superintendent of Police, Begusarai, are also directed to ensure  
that the prosecution witnesses are produced in the court below  
on the date fixed by the court below so that the trial could be  
concluded within the stipulated period.

Let a copy of this order be communicated to the  
District Magistrate, Begusarai and the Superintendent of Police,  
Begusarai.

**(Sudhir Singh, J)**

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

