

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82294 of 2019

Arising Out of PS Case No.-149 Year-2001 Thana- NAUBATPUR District- Patna

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Arun Singh, Male aged about 62 years, Son of Yugal Kishore Singh Resident
of Village Tarari, P.S. Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate
For the State : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 12-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Naubatpur PS Case No. 149 of 2001 dated 28.08.2001 instituted
under Sections 302/34 of the Indian Penal Code and 27 of the
Arms Act.

3. The allegation against the petitioner and seven others
in the First Information Report is of firing on the deceased leading
to his death.

4. Learned counsel for the petitioner submitted that
though he has been named as one of the persons against whom
there is specific allegation of firing but the witnesses in the trial of



the remaining co-accused had not stated his complicity. It was submitted that in the said trial, co-accused have been acquitted and even in the trial of the petitioner, the informant has stated that he has not seen the occurrence and the petitioner was not involved in the murder of his father, who was the deceased. It was submitted that the petitioner is in custody since 29.03.2019. It was further submitted that the petitioner was never aware of him being implicated in the criminal case and, thus, could not surrender earlier.

5. Learned APP submitted that there is specific allegation of firing against the petitioner and most importantly, the petitioner having evaded the law and that too having been finally arrested on 29.03.2019, does not deserve the privilege of bail. It was submitted that the plea of being unaware is totally falsified for the reason that seven other co-accused were of the same village and such an important and serious case pending in which the others were facing trial, cannot be hidden from public knowledge and, thus, it is a clear case of trying to hoodwink the system and only when others have been acquitted, the trial against the petitioner finally started and from the conduct of the informant, it is clear that he has not stated the truth before the Court.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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