

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1340 of 2020

Arising Out of PS. Case No.-128 Year-2019 Thana- EKMA District- Saran

Arvind Singh, aged about 43 years, Male, Son of Shiv Narain Singh @ Shiv Naryan Singh Resident of Village - Karnpura, Amdhari, Police Station- Ekma, District - Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ram Binod Singh, Adv.
For the Respondent/s	:	Mr.Usha Kumari 1 (Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 04-12-2020 Heard Mr. Vindhyachal Singh, learned counsel for the appellant and Ms. Usha Kumari I, representing the State.

The instant appeal has been filed against the order dated 17.12.2019 passed by the 1st Additional District & Sessions Judge cum Special Judge, SC/ST, Saran at Chapra in regular bail petition in SC/ST Case No. 164 of 2019 arising out of Emka P.S. Case No. 128 of 2019 lodged under Sections 302, 307, 506/34 of the Indian Penal Code and Section 27 of the Arms Act and Section 3(i)(r)(w), 3(2)(v), 3(2)(va) of the SC/ST Act, 1989 rejecting the regular bail application.

The prosecution story, in short, is that while the Informant was taking tea in front of her door along with her husband, her son and one another, the appellant along with other accused persons came there and started to abuse them in the



name of their caste. In the meantime, Arvind Singh (appellant) pulled out pistol and started firing due to which the husband died at the spot. The Co-accused Bittu Singh and Pushpesh Singh also made fire over the Informant and her son but, anyhow they save their life. Thereafter, on hulla, the accused persons fled away from there.

From the case diary, it appears that all the witnesses have consistently taken the name of the present appellant to have fired upon the husband of the Informant.

Learned counsel for the appellant submits that from Annexure-2, it appears that the appellant was in jail custody and has wrongly been implicated in the present case but, the fact is that all the witnesses have taken the name of the appellant.

Looking to the entirety of the case, this Court is not inclined to grant bail to the appellant.

Accordingly, the prayer for bail of the appellant, above named, is rejected with a direction to the court below to expedite the trial of the appellant.

(Shivaji Pandey, J)

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