

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25320 of 2020

Arising Out of PS. Case No.-473 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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PREM SAH Son of Shri Ramvilash Sah Resident of Village- Sumera, P.S.-
Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

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

The petitioner seeks bail in Sadar P.S. Case No. 473
of 2019 instituted for the offences under Sections 302, 120(B),
34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused
persons including the petitioner fired indiscriminately on the
brother of the informant due to which he died.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 7.2.2020. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. Indiscriminate firing is alleged to have been made by the accused persons. The petitioner is one of the assailants. The post-mortem report corroborates the allegation made in the F.I.R.

Considering the same, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take steps to expedite the case.

(Sudhir Singh, J)

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