

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71102 of 2019

Arising Out of PS. Case No.-193 Year-2018 Thana- AMNAUR District- Saran

Subodh Singh @ Subodh Kumar Singh @ Subodh Kumar, Son of Bharat Deo
Singh Resident of Village - Amnour Harnarayan, P.S.- Amour, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 13.12.2018, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 302 and 120B of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Sambhu Sah, submitted to the S.H.O., Amnour is to the effect that on 26.09.2018 at 6 A.M., the son of the informant, Pappu Kumar, went to Amnour market to take tea from the tea stall. In the meantime, co-accused Bhim Singh and the petitioner



Subodh Singh came on a motorcycle when the petitioner resorted to fire on the chest of the son of the informant and escaped from the scene, as a result, the son of the informant died on the spot. The motive of the occurrence is alleged to be old land dispute.

It is submitted by learned counsel for the petitioner that admittedly, the informant is not the eye-witness to the alleged occurrence and the land which there was dispute, has already been transferred to one Jitendra Singh @ Jitu Singh when statement of another Jitendra Singh has been recorded in paragraph no. 33 of the case diary, where he confessed that he killed the son of the informant.

Learned counsel for the informant and the State submit that accusation of killing the son of the informant is specific against the petitioner and he is named in the FIR.

Considering the fact that the petitioner is the sole assailant and the accusation is being corroborated by the medical opinion, coupled with the fact that the petitioner is accused in five other cases, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, in connection with Amnour P.S. Case No. 193 of 2018, pending in



the Court of learned Chief Judicial Magistrate, Saran at Chapra,
is rejected.

However, it is expected from the learned trial court to
expedite the trial and conclude the same within a period of nine
month.

If the trial is not concluded within a period of nine
months, the petitioner will be at liberty to renew his prayer for
bail.

Application is dismissed.

(Dinesh Kumar Singh, J)

Amrendra/-

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