

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71281 of 2019

Arising Out of PS. Case No.-192 Year-2002 Thana- MASAUDHI District- Patna

Sudhir Singh S/o Late Nathuni Singh R/o village- Kirimadichak, P.S.-
Masaudhi, District- Patna

... .. 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. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 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 16.05.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 147, 148, 149 and 302 of the IPC, Section 27 of the Arms Act and Section 17 of the Criminal Law Amendment Act.

The prosecution case, as per the fardbeyan of Mankiya Devi, recorded by S.I., Masaurhi Police Station on 08.12.2002 at 9 A.M., is to the effect that on 07.12.2002, the informant was sleeping in the hutment when at 12 A.M., in the night, all the FIR named accused including the petitioner came



when this petitioner resorted to fire on the face of the husband of the informant with rifle, who died on the spot. The informant claims to be the eye-witness to the alleged occurrence.

It is submitted by learned counsel for the petitioner that the accusation is that on 22-25 persons of extremists organization came when the informant, in the light of the moon, identified the petitioner. It is further submitted that in the year 1999, the brother of the petitioner was murdered and since the petitioner was the informant of that case in which the informant was accused, the petitioner has maliciously been dragged in the present case.

Learned counsel for the state submits that it is specifically alleged that the petitioner shot dead the husband of the informant.

Considering the nature of accusation, being corroborated by the medical opinion and the petitioner being the sole assailant, this Court is not inclined to grant bail to the petitioner for the present.

Accordingly, the prayer for bail of the petitioner, in connection with Masaudhi P.S. Case No. 192 of 2002, pending in the Court of learned Chief Judicial Magistrate, Patna is rejected.



It is expected from the learned trial court to expedite the trial and conclude the same preferably within a period of nine months.

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

Application is dismissed.

(Dinesh Kumar Singh, J)

Amrendra/-

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