

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83654 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- MATIHANI District- Begusarai

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GOLU KUMAR @ GOLU SINGH @ GOLU KUMAR SINGH Son of Shree
Ram Sharan Singh Resident of Village - Ramdiri, P.S.- Matihani, District -
Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-03-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Matihani P.S. Case No. 55 of 2019, registered for the offence
punishable under Sections 341, 323, 308, 504 and 506/34 of the
Indian Penal Code.

The case of the prosecution is that the petitioner and other
co-accused persons had intercepted the informant, while he was
going on his motorcycle, whereafter they had assaulted him with
sticks, fists, slaps and with the butt of the pistol as also had
made gunshot firings upon the informant, however, the same
luckily did not hit the informant. It is further alleged that the
accused persons including the petitioner herein had threatened



the informant to vacate his house and flee away from the village, failing which they would kill him. In fact, the accused persons including the petitioner herein are also stated to have abused and assaulted one another person, namely, Ram Parvesh Singh as also had threatened him to vacate his house and flee away from the village.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the informant has admittedly not received any firearm injury and the petitioner is languishing in custody since 05.07.2019.

I have heard the learned counsel for the petitioner and perused the materials on record from which it is apparent that the petitioner is a habitual offender inasmuch as 17 criminal cases are pending against the petitioner herein, which alone is enough to reject the prayer of the petitioner herein for grant of bail. Reference, in this regard, be had to a judgment of the Hon'ble Apex Court rendered in the case of *Ash Mohammad vs. Shiv Raj Singh @ Lalla Babu & Anr.*, reported in (2012) 9 SCC 446. Even on merits, this Court is of the view that considering the severity of the allegations levelled against the petitioner herein and gravity of the offences alleged, no case is



made out for grant of regular bail to the petitioner herein, hence,
the present petition stands dismissed.

(Mohit Kumar Shah, J)

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