

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5923 of 2019

Arising Out of PS. Case No.-754 Year-2018 Thana- DEHRI TOWN District- Rohtas

Chandan Singh @ Chandan Kumar Singh, Age 30 years, Gender-Male, Son of Krishna Pratap Singh @ Krishna Singh @ Krishna kumar Singh Resident of Village - Kirhindi, P.S.- Sheosagar, District- Rohtas (Sasaram)

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. K. N. Chaubey, Adv.
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 08-06-2020 Heard learned counsel for the appellant and learned counsel for the State through virtual court proceeding.

This appeal has been filed by the appellant against the order dated 2.12.2019 passed by the learned Additional Sessions Judge-I, Rohtas at Sasaram rejecting the prayer for bail of the appellant in Registered Case No. 256 of 2018 arising out of Dehri Town P.S. Case No. 754 of 2018 instituted for offence under Sections 341, 307, 120-B/34 of the Indian Penal Code and Section 27 of the Arms Act and Section 3(i)(r)(s)(w) of the SC/ST (Prevention of Atrocities) Act.

There is a direct allegation against the appellant to have caused fire-arm injury in the chest of the victim but, somehow, he survived.



Learned counsel for the appellant takes the plea of alibi stating that on the date of occurrence of the present case, the appellant was in Kolkata wherein he visited Mahesh Bhattacharayya Homeopathic Medical College & Hospital with regard to the injury received by him in Sheosagar P.S. Case No. 238 of 2018. He further submits that on that date, he also went to SBI ATM at Santaragachi with debit card issued on his name. He was also treated at Trauma Center, Banaras.

In support of his submission, counsel for the appellant has attached the documents relating to aforesaid hospital and SBI ATM receipts.

The plea of alibi will be seen at the time of trial but, at present, there is direct allegation against the appellant. The appellant has also moved before this Court earlier and this Court vide order dated 3.7.2019 passed in Cr. Appeal (SJ) No. 1989 of 2019 rejected the same. The appellant has also moved before this Court in Cr. Appeal (SJ) No. 4935 of 2019 and this Court vide order dated 21.11.2019, dismissed the same with a liberty to the appellant to renew his prayer for bail before the court below.

The appellant has got criminal antecedent.

Looking to the entire facts and circumstances of the



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

Accordingly, the prayer for bail of the appellant is
rejected for the present.

The appeal stands dismissed.

(Shivaji Pandey, J)

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