

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11920 of 2021

Arising Out of PS. Case No.-456 Year-2020 Thana- SARAIYA District- Muzaffarpur

CHITA NAND DWIVEDI @ CHIDA NAND DEVIVEDI SON OF LATE
VIDYA NAND DWIVEDI R/o village- Datapur, P.S.- Saraiya, Distt.-
Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok, Advocate
For the Informant	:	Mr. Ravi Nandan, Advocate
For the State	:	Mr. Anant Kumar no. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated by the informant that they saw the petitioner and two others firing on his son as a result of which he died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations as levelled in the FIR are false and concocted. The allegations are general and omnibus in nature. Co-accused Aditya was arrested and in course of investigation his confessional statement was recorded wherein he has stated about the love affair between Vicky Kumar and the daughter of



the petitioner who had both eloped. The daughter of the petitioner was recovered and handed over to the family members. A case was also filed. It is because of this occurrence as also because of the political rivalry that the instant case has been lodged against the petitioner and others ensuring that they are not able to contest the next elections for Mukhiya. The petitioner is a sitting Mukhiya. He belongs to a respectable family. He is in custody since 20.9.2020 and has no criminal antecedent. Investigation in the case has concluded.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner of having fired at the son of the informant, the allegation having been supported by the witnesses in course of investigation as also the contents of the postmortem report wherein at least four gun shot injuries have been found on the body of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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