

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13985 of 2021

Arising Out of PS. Case No.-220 Year-2020 Thana- BYPASS District- Patna

Mithilesh Singh @ Mithilesh Prasad Singh Son Of Late Kalika Singh
Resident Of Village - Marchi, P.S.- Byepass, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Priyanka Singh, Advocate
For the Opposite Party/s : Mr. Ashok, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-09-2021 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks regular bail in Bye Pass Police
Station Case No. 220 of 2020 registered for the offences
punishable under sections 307, 302/34 of the Indian Penal Code.

As per the prosecution case, the petitioner along with
other accused person fired on the informant hitting in his left
chest and leg with the intention to kill him. Subsequently, the
victim succumbed to the injury.

Learned counsel for the petitioner submits that there
is no eye witness of the occurrence except the
informant/deceased. There was land dispute between the parties.
He further submits that there is general and omnibus allegation



of resorting to firing against all the petitioner and his associate, and no specific overt has been alleged against the petitioner. Motive of killing has also been shifted to co-accused who had threatened the deceased few days back. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 10.7.2020.

Learned counsel for the State and the informant oppose the prayer for bail and submit that the informant has himself stated in the FIR that the petitioner and his associate fired at him with intention to kill him. Prayer for bail of similarly situated co-accused has already been rejected by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 8423/2021.

In view of the specific allegation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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