

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12489 of 2021**

Arising Out of PS. Case No.-236 Year-2020 Thana- MANIHARI District- Katihar

BIKKI SINGH SON OF BHUPATI SINGH RESIDENT OF VILLAGE-
NAWABGANJ, POLICE STATION MANIHARI, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Rajiv Roy, Sr. Advocate Rajendra Prasad Sah, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 02-09-2021 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 section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the FIR, the six named accused persons including the petitioner herein armed with revolver, pistol etc, entered the shop of the informant and started to fire indiscriminately on the informant's brother who on being taken to the hospital was declared dead. The cause of occurrence is said to be old enmity.

It is submitted by learned senior counsel appearing for the petitioner that the allegations as levelled in the FIR are false



and concocted. The petitioner has been falsely implicated in the case. The allegations levelled in the FIR are vague, general and omnibus in nature. The contents of the postmortem report does not support the allegations levelled in the FIR. The witnesses in course of investigation have not supported the allegations against the petitioner. The petitioner is in custody since 8.12.2020 and investigation in the case has concluded.

Heard learned APP for the State.

A report was called for from the learned Court below. As per the report received contained in letter dated 10.8.2021 of the Addl. Sessions Judge IV, Katihar, charge has been framed in the case 9.8.2021.

Having heard learned counsel for the parties and taking into consideration the allegations against the accused persons including the petitioner of having fired indiscriminately on the brother of the informant together with the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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