

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39579 of 2021

Arising Out of PS. Case No.-711 Year-2019 Thana- SAHARSA SADAR District- Saharsa

Vishal Kumar Singh S/O Ram Prasad Singh R/o Village - Mahapura, P.S. -
Mahishi, District - Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mrs.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-12-2021

Heard learned counsel for the parties.

The petitioner seeks bail in Saharsa Sadar P.S. Case No.711 of 2019, registered for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., this petitioner alongwith two other accused persons made indiscriminate firing and caused fire-arm injury to brother of the informant, as a result of which, the brother of informant succumbed to the injuries.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case because of previous enmity. There is general and omnibus allegation and petitioner is in custody since 17.08.2019.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific and direct allegation



against this petitioner and other co-accused persons of causing fire-arm injury, as a result of which, brother of the informant died.

Considering the nature of accusation and the fact that petitioner is one of the assailant of the deceased, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, since the petitioner is in custody since 17.08.2019, the learned trial court is directed to conclude the trial as early as possible.

(Prabhat Kumar Singh, J.)

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