

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30655 of 2020

Arising Out of PS. Case No.-34 Year-2018 Thana- BHAGWANPUR District- Begusarai

AJAY KUMAR SINGH @ CHUNCHUN SINGH @ CHUNCHUN KUMAR
SINGH Son of Ramdev Singh Resident of Village - Mokhtiyarpur, P.S. -
Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pritish Kumar Lal, Adv.
For the State	:	Mr. Sanjay Kumar, APP
For the Informant	:	Mr. Anant Kumar Bhaskar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

10 15-12-2021 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 385, 387 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, allegation against accused Pikesh Kumar, Ritesh and the petitioner herein is of having indiscriminately fired on the informant who subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that all the members of his family has been falsely implicated in the case. The petitioner and the informant happen to be closely



related, however for oblique reasons the informant suppressing this fact, lodged the instant F.I.R. falsely implicated the petitioner showing him to be a veteran criminal. The post-mortem does not support the allegations made in the F.I.R. No document has transpired to show that the informant was treated in a private hospital. No independent witness has been examined. The petitioner is in custody since 18.7.2018.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner is the assailant of the deceased and the trial is near conclusion in the learned court below.

A report was called for from the learned trial court. From the contents of the report contained in letter dated 27.11.2021, it transpires that the case is at the stage of cross-examination of P.W.7 Raj Kumar Singh and the trial is expected to conclude within three months.

Having heard learned counsel for the parties and taking into consideration the direct allegation against this petitioner in the F.I.R. together with the stage of the trial as is evident from the report of the learned trial court, 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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