

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34025 of 2020**

Arising Out of PS. Case No.-30 Year-2019 Thana- MOTIHARI RAIL P.S. District- West
Champaran

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ARVIND SINGH Son of Rameshwar Singh Resident of Village- Bairiya
Dieh, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma
Mr. Abhishek Kumar

For the Opposite Party : Mr. Yogendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 20-01-2021

Heard learned counsel for the parties.

This application for grant of regular bail arises out of
Rail Motihari P.S. Case No. 30 of 2019 registered for the
offence punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The brother of the deceased is the informant, who was
found shot dead. The First Information Report discloses that the
wife of a co-accused had eloped with the deceased in respect of
which a First Information Report was registered, which is why a
First Information Report named accused Raj Kishore Singh had
developed animosity with the deceased. Suspecting hand of said
Raj Kishore Singh behind the occurrence of killing of the



deceased, he was named in the First Information Report. The petitioner's name surfaced during the course of investigation, whereafter he was apprehended by the police. The petitioner, on intensive interrogation by the police, admitted his direct involvement in commission of the offence. In his statement, recorded under Section 161 of the Code of Criminal Procedure, he gave vivid description of the manner of occurrence. The disclosures made by the petition during the course of investigation stands corroborated by the call detail records of the petitioner's mobile phone and that of the deceased. The investigation has revealed that the petitioner committed the offence at the instance of co-accused Raj Kishore Singh. The petitioner has criminal antecedent as is evident from paragraph 3 of this application, which reads as under : -

“(i) Kalyanpur P.S. Case No. 23 of 2006 u/s 392, 34 of the IPC.

(ii) Kopa Saran P.S. Case No. 204 of 2019 u/s 272, 273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act.

(iii) Kesariya P.S. Case No. 29 of 2012 u/s 341,323,324,504,506 of the IPC.

(iv) Kesariya P.S. Case No. 67 of 2006 u/s 395,34 of the IPC.”

Considering the above, I am not inclined to grant the petitioner privilege of regular bail for the present.



This application is accordingly rejected.

(Chakradhari Sharan Singh, J)

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