

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39556 of 2020

Arising Out of PS. Case No.-243 Year-2019 Thana- DHAMDAHA District- Purnia

Sarvesh Singh, Son of Nageshwar Singh @ Nago Singh, Resident of Village -
Kasmara, P.S.- Dhamdaha, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Dhamdaha P.S. Case No.243 of 2019 for the offence punishable
under Sections 447, 302/34 of the Indian Penal Code and
Section 27 of the Arms Act, which is pending in the court of
learned C.J.M., Purnia.

There is an allegation that the informant's husband
has been fired upon by the petitioner on his chest, leading to his
death.

The petitioner's counsel submits that in the
investigation, criminal antecedents of the deceased has come to
light. He is an accused of 19 cases since before and has also
been in jail for some time. The prosecution case is based on



subsisting family disputes between the parties and on such false implication, the petitioner is in custody since 18.06.2020.

Learned APP has referred to certain paragraphs of the case diary, wherein competent witnesses have supported the allegation. The specific assault upon the deceased by firearm leading to his death is attributed against the petitioner.

Considering the rival submissions, for the present, this Court is not inclined to allow the prayer for bail. The same is rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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