

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.719 of 2021

Arising Out of PS. Case No.-38 Year-2011 Thana- BELDOUR District- Khagaria

Nityanand @ Nityanand Kumar @ Shashi Kumar @ Nityanand Singh Son of
Ramotar Singh Resident of Village - Vihanpur Mali, P.S. - Beldaur, District -
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 12-08-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred the instant application for
grant of regular in a case registered under sections 302, 120B
and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the F.I.R., eight accused
persons including the petitioner herein fired indiscriminately
leading to the death of the informant's brother.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The
allegations are general and omnibus in nature. A number of
witnesses including the wife of the petitioner, in course of
investigation have made general allegations against the accused.
The case of the petitioner stands on a similar footing to that of a



number of coaccused who have been enlarged on bail. He is in custody since 13.3.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties, it transpires that the allegations of indiscriminate firing by eight accused persons including the petitioner herein is supported from the contents of the postmortem report wherein at least five gunshot injuries have been found. This Court is not inclined to enlarge the petitioner on bail. The application is rejected.

(Partha Sarthy, J)

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