

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7614 of 2021

Arising Out of PS. Case No.-280 Year-2019 Thana- BARAUNI District- Begusarai

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SOHAN KUMAR Son of Ganga Kumar Resident of Village - Bihat
Khemkaranpur, P.S.- Bihat, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar
For the Informant	:	Mr.Subhash Kumar Jha
		Mr.Ranjan Kumar Jha
For the State	:	Mrs.Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Barauni
(F.C.I) P.S. Case No.280 of 2019, registered for the offence
punishable under Sections 147, 148, 149, 307, 302, 120B of the
Indian Penal Code and section 27 of the Arms Act.

The prosecution case in short is that son of the informant
has been killed by firing gun shot by one Amrit Singh and other
accused persons.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He has been falsely implicated in this case
due to old dispute. There is a land dispute between the parties.



Allegation against the petitioner is that he is the order giver to kill the deceased son of informant and except that no specific allegation of firing or any overt act has been alleged against the petitioner. It is further stated that the wife of the deceased was present at the time and place of occurrence and she did not disclose the allegation against the petitioner in her statement under 161 Cr.P.C. before the police. There is general and omnibus allegation against the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 05.02.2020.

Learned APP for the State opposed the prayer for bail and submitted that the bail petition of similarly situated co-accused persons have been rejected by different co-ordinate Bench of this Court.

Considering the facts and circumstances of this case, I am not inclined to grant bail to the petitioner.

Accordingly, the instant bail petition is hereby dismissed.

However, the learned trial court is directed to expedite the trial of the petitioner.

(Anjani Kumar Sharan, J)

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