

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8855 of 2021**

Arising Out of PS. Case No.-120 Year-2020 Thana- CHAUSA District- Madhepura

SANTLAL SINGH SON OF LATE SOHAN SINGH VILLAGE-
KHOPARIYA, P.S. CHAUSA, DISTRICT- MADHEPURA (BIHAR).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Anant Kumar 1, Advocate.
For the State	:	Mr. Dilip Kumar No. 1, APP
For the informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-05-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Dilip Kumar No. 1, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Chausa P.S. Case No. 120 of 2020 registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and in the nature of allegations there being no direct allegation against the petitioner, the petitioner deserves privilege of bail.

On the other hand, learned counsel for the informant as



well as learned APP for the State have opposed the prayer for bail of the petitioner. It is submitted that on bare perusal of the First Information Report it would appear that this petitioner has been named as one of the assailants who had fired from his pistol and further the post-mortem report of the deceased is corroborating the allegations in the FIR inasmuch as at least four firearm injuries have been found on the person of the deceased.

Learned counsel for the informant further points out that this petitioner has got huge criminal antecedent and it may be noticed from the statements in paragraph '3' of the present petition that the petitioner is accused in at least 21 cases and out of those cases in one case he is said to be acquitted whereas in other two cases he is not on bail.

Learned APP for the State has also opposed the prayer for regular bail of the petitioner. According to him, releasing the petitioner with such huge criminal antecedents that too in a case in which there is direct allegation against him would adversely affect the course of trial.

Having regard to the facts and circumstances of the case, the nature of allegation which have been noticed hereinabove and the materials in the form of the statement of the informant in the FIR and the post mortem report as also the criminal antecedent report indicating that the petitioner has got huge criminal antecedent, this Court is not inclined to release the petitioner on bail. This Court



agrees with the submission of learned APP that release of the petitioner who is having such huge criminal antecedent may influence the course of trial adversely. The prayer for regular bail is, thus, refused.

This application is dismissed.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Sonali/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'

