

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5845 of 2022

Arising Out of PS. Case No.-190 Year-2020 Thana- SAHAR District- Bhojpur

Sanjay Singh Son Of Sudeshwar Singh Resident Of Village- Ekwari, P.S.
Sahar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Nilesh Kumar
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Sahar P.S. Case No. 190 of 2020, registered for the offence punishable under Sections 302, 307/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on 05.09.2020 at about 2.30 in the night while the father of informant was sleeping, this petitioner shot him. On hearing the sound of firing the wife of informant came out then she saw Prasoon Singh, Dhananjay Singh @ Chhena, Sudeshwar Singh all four persons were standing there. In the meantime, Prasoon Singh, Dhananjay Singh started indiscriminate firing which hit her right hand.



Thereafter, all the accused persons fled away.

It is submitted on behalf of the petitioner that from perusal of FIR it appears that informant is not eye-witness of the occurrence. During course of investigation son and daughter of informant who claimed to be the eye-witness narrated the story in different manner. Other relatives have also stated story in different version. As per the FIR, wife of the informant went at the Goshala after hearing the sound of firing she came outside and saw Prasoon Singh, Dhananjay Singh and Sudeshwar Singh were present. Even as per the FIR, she did not hear sound of firing. Petitioner is in custody since 27.03.2021.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific and direct allegation of firing causing the death of informant's father.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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