

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31493 of 2021

Arising Out of PS. Case No.-98 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Bittu Singh @ Baibhav Vardhan Singh S/O Mirtunjay Kumar Singh R/O
Village- Maheshwara, P.S.- Nowkothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 24-01-2022 The applicant/accused in Crime No. 98 of 2018 registered with Nowkothi Police Station for the offences punishable under Section 302 read with Section 34 of the Indian Penal Code, by this application is seeking his release on bail during course of the trial.

Heard the learned counsel appearing for the applicant/accused. He drew my attention to the FIR and argued that information of the subject crime allegedly committed on 21.09.2018 was given to the police on 22.09.2018. The deceased was veteran criminal. The entire story of the prosecution is improbable, as seen from the FIR.

The learned Additional Public Prosecutor opposed the application.



I have considered the submissions so advanced and also perused the materials placed before me.

The FIR of the subject crime was lodged by first informant Prince Kumar on 21.09.2018. The subject crime seems to be registered on 22.09.2018. The first informant is the eyewitness to the incident. He claims to have seen the applicant and co-accused Dhiraj Singh assaulting his brother Anand Mohan (since deceased) by firing bullets at him. That apart para-3 of the instant application points out checkered criminal history of the applicant.

The offences punishable with life imprisonment or death. There are eyewitnesses to the incident. Hence, **no case for grant of bail to the applicant/accused is made out.** The application is accordingly rejected.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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