

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50508 of 2021

Arising Out of PS. Case No.-244 Year-2008 Thana- SURYAGARHA District- Lakhisarai

Shankar Singh, Son of Late Potan Singh Resident of Village- Shobhni, P.S.-
Suryagarh, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Vinay Pd. Singh, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

3 20-07-2022 Heard the learned counsel for the applicant.

This is an application for grant of bail to the applicant in Crime No. 244 of 2008 registered with Suryagarha Police Station for the offences punishable under Sections 302 and 307 r/w Section 34 of the Indian Penal Code.

The learned counsel for the applicant argued that there are general and omnibus allegations against the accused persons. The applicant is behind bars for more than six years and there is no progress in the trial.

I have considered the submissions so advanced and also perused the FIR lodged by Ramanuj Singh, who happens to be an eye witness as well as husband of the deceased Babita Singh. It is averred in the FIR that when the applicant along with his wife were proceeding for catching the train, three accused persons accosted them and they indulged in



indiscriminate fire in which wife of the First Informant succumbed to the firearm injuries suffered by her. It is further averred by First Informant Ramanuj Singh that he escaped the gunshot injuries despite firing of bullets at him.

The First Informant as such he is the eye witness to the crime in question in which his wife is succumbed to the gunshot injuries. The First Informant has categorically named the applicant, i.e, Shankar Singh as one of the assailant. Hence it cannot be said that allegation against the applicant are omnibus. The crime in question is punishable with life imprisonment or death. The trial of the offence is in progress. Nine out of fourteen charge sheeted witnesses are already examined. Three Investigating Officers were summoned by the trial court for recording their evidence on 14.06.2022 as seen from the report of the learned Sessions Judge.

In this view of the matter, no case for grant of bail is made out. The application is rejected. The learned trial court is directed to adhere to the mandate of Section 309 of the Cr.P.C. for deciding the part heard trial expeditiously.

Bhardwaj/-

(A. M. Badar, J)

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