

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43745 of 2022

Arising Out of PS. Case No.-133 Year-2015 Thana- PHULWARIA District- Begusarai

Bhonu Singh Son Of Suresh Singh @ Suro Singh R/O Village- Nipaniya, P.S.-
Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 28-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks regular bail in connection with
Phulwaria P.S. Case No. 133 of 2015 registered for the offences
punishable under Sections 302, 120(B), 34 of the Indian Penal
Code and Section 27 of the Arms Act.

As per the prosecution, the informant's husband was
shot dead by this petitioner along with co-accused persons.

The main submissions advanced by learned counsel Mr.
Binod Kumar appearing for the petitioner are that the co-accused
Nilesh Kumar Rai carrying similar nature of allegation has faced
trial and he has been acquitted of the alleged offence of murder
and during the trial of the said co-accused, all the material



witnesses of the prosecution did not support the allegation concerned to the said co-accused as well as allegation concerned to the present petitioner and the depositions of the said witnesses have been filed as Annexure-3 series. Further submission is that the trial of the petitioner has not commenced till date and even the charge upon him has also not been framed.

Learned APP Mr. Suresh Prasad Singh appearing for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR. The petitioner is named in the FIR and against him there is a serious and specific allegation of having fired at the deceased who was husband of the informant and the trial of the petitioner is to be started and as per the FIR he appears to be one of the assailants and he has criminal antecedent of six cases. Considering all these facts, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his prayer for bail stands rejected.

The court below is directed to take steps to proceed with the trial of the petitioner and conclude the same in the next six months. If the trial of the petitioner is not concluded in the said period then the petitioner may renew his bail prayer.

(Shailendra Singh, J.)

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