

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63549 of 2021

Arising Out of PS. Case No.-27 Year-2017 Thana- AKBARPUR District- Nawada

KAUSHAL SINGH Son of Ravindra Singh Resident of Village - Gangta, P.S.
- Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-04-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 302, 307, 147, 148, 149, 341 and 504 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner is said to be the assailant of the uncle of the informant.

It is submitted by learned counsel for the petitioner that the prayer for bail of the petitioner was earlier rejected vide order dated 9.5.2019 passed in Cr. Misc. no. 12883 of 2019 and order dated 26.11.2020 passed in Cr. Misc. no. 5793 of 2020. On merits it is submitted that the witnesses named in the FIR have stated before the police that the informant disclosed to them that the co-accused Loukesh Singh caused firearm injuries resulting in the death of the uncle of the informant. It is further



submitted that while rejecting the prayer for bail of the petitioner vide order dated 26.11.2020, liberty was granted to the petitioner to renew his prayer for bail if there was no progress in the trial within next six months. The petitioner is in custody since 12.9.2018 and no witness having been examined on behalf of the prosecution, there is no chance of the trial concluding in the near future. The petitioner undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation against this petitioner who is said to be the main assailant of the uncle of the deceased, the Court is not inclined to enlarged the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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