

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70423 of 2021

Arising Out of PS. Case No.-210 Year-2020 Thana- GAURICHAK District- Patna

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Shashi Bhushan Singh S/o- Late Mishri Singh R/o- Village - Hander, P.S. -
Gaurichak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : Mr. Lalit Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 17-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gaurichak P.S. Case No. 210 of 2020 lodged under Sections
448, 504, 506, 302, 120 (B)/ 34 of the I.P.C.

As per the prosecution case, the informant has
narrated that he was sitting in his house, in the meantime 4
named accused persons entered his house and started abusing
the deceased. Specific allegations has been made against 3
accused persons that they caught the deceased and ordered the
present petitioner to make fire, on which the present petitioner
fired on the deceased, due to which the deceased fell down.

Subsequently, informant took the deceased to a hospital, where the doctors declared him dead.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 22.07.2020. Learned counsel submits that the petitioner has 7 criminal cases pending against him and he is on bail in all the cases. Upon specific query, whether charge has framed or not, learned counsel submits that charge sheet has already been framed in this case.

Learned counsel for the petitioner submits that contents made in paragraph 66 of the case diary supports the contents and mode, as made in the F.I.R., which is by the independent witnesses. Learned counsel further submits there was land dispute going on between the informant and the petitioner's family.

Learned counsel for the informant vehemently opposes the prayer for bail and he also filed a supplementary affidavit in the case and submits that there is direct allegation against the accused person, that the firearm injury has been caused by the present petitioner against the deceased. He further submits that the post-mortem report has categorically supported the statement and contents of the F.I.R.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner therefore the bail application of the petitioner is hereby **rejected**.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail 6 months after framing of charge form today.

Trial Court is directed to expedite the trial as earliest as possible.

(Dr. Anshuman, J.)

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