

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1605 of 2022

Arising Out of PS. Case No.-19 Year-2019 Thana- MAKER District- Saran

Navin Kumar Singh @ Pinku Kumar Son of Bigan Prasad Singh @ Bigan Singh Resident of Village- Paschim Thahara, Police Station- Maker, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 14-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Maker P.S. Case No. 19 of 2019, registered for the offences punishable under Sections 447, 504, 341, 302, 307 and 34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case as emerges from the F.I.R. is that the petitioner had caused fire-arm injury on the chest of the brother of the informant, due to which he died.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He also submits that two similarly situated co-



accused persons namely Arvind Kumar Singh and Bigan Prasad Singh have already been enlarged on bail by different co-ordinate Benches of this Court vide orders dated 01.08.2019 and 29.02.2020, passed in Cr. Misc. No. 47196 of 2019 and Cr. Misc. No. 13682 of 2020. He also submits that the petitioner has been languishing in jail since 01.07.2021. He further submits that investigation in this case is complete and charge-sheet has already been submitted. Even charge in this case has already been framed.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State and Informant vehemently opposes the prayer of the petitioner for bail submitting that the alleged offence is serious in nature and he is the main assailant who has shot dead the victim and case of the other co-accused who have already



been enlarged on bail are different, unlike the present petitioner, they are not the main assailant.

Considering the aforesaid facts and circumstances, and nature of the allegation and materials on record, I am not persuaded to enlarge the petitioner on bail.

However, the Court below is requested to expedite the trial.

The application stands rejected. accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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