

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2372 of 2023

Arising Out of PS. Case No.-164 Year-2017 Thana- SONEPUR District- Saran

Mukesh Singh Son Of Late Awadhesh Singh Resident Of Village- Kharika,
P.S.- Sonapur, District- Saran At Chhapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that due to previous land dispute and enmity, three persons on two motorcycles, including the petitioner, came at the door of informant and started firing indiscriminately. It is further alleged that petitioner fired at the informant's wife due to which she sustained injuries over her chest.



When informant's son tried to save his mother, wife of petitioner and one Meera Devi tried to bite him and threatened him of dire consequences. The wife of informant was being taken to hospital, where she was declared dead.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to land dispute. There is no independent witness to support the prosecution version of the case. Moreover, the petitioner is in judicial custody since 16.02.2022.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that there is specific overt act of shot fire against the petitioner due to which wife of informant succumbed to gun shot injuries. Postmortem report also corroborates with the prosecution version of the case and cause of death was due to fire arm injury.

Having heard the learned counsel for the



parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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