

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14246 of 2022

Arising Out of PS. Case No.-55 Year-2020 Thana- DANIYAWAN District- Patna

SUBHAM KUMAR SON OF LATE SANJAY SINGH @ ANJANI SINGH
R/O VILLAGE- HAZIGANJ (NEAR JALAN HIGH SCHOOL) KOAKHOH,
MARUFGANJ, P.S.- PATNA CITY CHOWK, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

9 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302 and 394
of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the Scorpio vehicle of the
informant was overtaken by four accused persons and the
informant and his driver over powered on the point of pistol. It
is further stated in the FIR that one of the accused shot the
informant's driver in his leg and the driver was thrown out of
the vehicle. Regular threat was given that the informant would
also be killed.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. Contrary to the allegations, no incriminating article has been recovered from his possession. Inspite of being in custody since 29.6.2020 he has not been put on T.I. Parade. As per oral instructions received, the case has been committed. He undertakes to cooperate in the trial.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and on perusal of the materials on record it transpires that four accused persons gave effect to the occurrence as narrated in detail in the FIR wherein the driver of the informant was shot and killed. The petitioner was caught with the looted Scorpio vehicle of the informant along with a country made pistol in his possession. Thus, in the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

Liberty is granted to the petitioner to renew his prayer for bail on framing of charge or after six months, whichever is later.

(Partha Sarthy, J)

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