

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18681 of 2023**

Arising Out of PS. Case No.-151 Year-2021 Thana- MATIHANI District- Begusarai

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MUKESH KUMAR SINGH @ MUKESH KUMAR @ BHULLA @
BHULLU Son of Shiv Kumar Singh Resident of Village - Sonapur Dih, P.O.
and P.S.- Nayagaon, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Nivedita Nirvikar, Sr. Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-03-2023 Heard Mrs. Nivedita Nirvikar, learned Senior Counsel
for the petitioner and the learned APP for the State.

The petitioner is in judicial custody in connection
with Matihani P.S. Case No.151 of 2021 instituted under
Sections 307, 302/34 of the Indian Penal Code and 27 of the
Arms Act.

As per the allegation in the FIR, the informant has
alleged that he along with his son Kunal Kumar @ Dillu
(deceased) and two others were moving on two motorcycles for
distribution of cards in connection with marriage in the family.
It is alleged that when they reached near Bhawanandpur,



suddenly Gulshan Kumar, Vivek Kumar, Ajeet Kumar Singh (the petitioner herein) as also Mukesh Kumar intercepted them and thereafter it is alleged that on the exhortion of accused Ajeet Kumar Singh, the petitioner also opened fire on his son Kunal Kumar who was injured and died instantly. Further allegation is that when Murari Singh tried to escape, one Vivek Kumar also opened fire. They later fled away on motorcycles.

Earlier the petitioner had moved before this Court vide Cr. Misc. No.17595 of 2022 which was rejected on 30.08.2022.

Learned Senior Counsel submits that although the killing has taken place and same was widely covered by the Media, at the initial stage the name of the petitioner is missing.

This Court has gone through the said paper cutting and have also taken note of the allegations in the FIR and there is direct allegation against him.

Taking into account the said allegation, this Court does not deem fit and proper to grant any relief to him considering the fact that he do have criminal antecedent. The petition accordingly stands rejected.

However, considering the fact that the learned Senior Counsel has pointed out that the petitioner is in custody since



15-12-2021 (para-19 of the bail application), it would be appropriate that the Trial is expedited and is concluded within a period of nine months from today positively.

(Rajiv Roy, J)

Prakash Narayan /-

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