

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20105 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- CHIRAIYA District- East Champaran

Shailendra Singh Son of Late Siyaram Singh Resident of village-Rupahari,
P.S.-Shikarganj, District-East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. Let the defect (s), if any, as pointed out by the
office be removed within a period of four weeks.

03. In the present case, the petitioner seeks bail in
connection with S.Tr. No. 1093 of 2022 (C.I.S. No. 1093 of
2022) arising out of Chiraiya (Shikarganj) P.S. Case No. 254 of
2022 registered on 02.06.2022 for the alleged offences under
Sections 302, 120(B) of the Indian Penal Code and Section 27
of the Arms Act.

04. As per prosecution case, petitioner and other co-
accused persons entered into the house of the informant's son
and indiscriminately fired upon him. When the informant, his
nephew and other villagers reached at the spot, the assailants



fled away by opening fire in air. Son of the informant died at the spot.

05. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The prosecution story does not seem to be probable, as the petitioner and the informant are co-villager and next door neighbours. It is not believable that the petitioner would commit such crime in broad day light. Learned counsel further submits that the deceased was a man of criminal antecedent and he has many enemies, who might have committed his murder. Taking advantage of this fact, the informant has falsely implicated the petitioner and his family members. Altogether eleven persons have been said to be the assailants. The petitioner is in custody since 15.07.2022 and charge-sheet has been submitted.

06. Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent and is accused in a number of cases of serious nature.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the serious nature of allegation against the petitioner for causing death of the informant's son by opening fire upon him, I am not inclined to enlarge the petitioner on bail. Hence, his prayer for



bail is rejected.

08. However, the learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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