

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27427 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- SARAI District- Vaishali

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DHAMENDRA SINGH @ DHARMENDRA KUMAR @DHARMENDRA
KUMAR SINGH @DHIRMENDRA KUMAR@DHIRMENDRA KUMAR
SINGH S/o Laldev Prasad Singh Resident of Village- Mathura Sultanpur,
Pachkatiya, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Krishan Prasad Singh, Sr. Advocate
Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 13-01-2023 Heard learned counsel for the parties through
video conferencing.

The petitioner has preferred this application for
grant of regular bail in a case registered under sections 302,
120B, 394 and 384 of the Indian Penal Code and section 27
of the Arms Act.

As per the prosecution case, it is stated by the
informant that the petitioner and one another came and took
away her husband stating that their motorcycle needed some



repairs and that he should assist. Thereafter, it is stated that the other members of the family of the petitioner and the other persons were present from before. The husband of the informant was threatened that he should sign on a blank stamp paper and, thereafter, the petitioner shot him with the pistol as a result of which he died.

It is submitted by learned senior counsel appearing for the petitioner that the informant is not an eye witness to the occurrence. The manner of occurrence is other than what has been narrated in the FIR. The alleged place of occurrence is another village more than 1 ½ km from the informant's place and the informant could not have reached the said place. No direct evidence has transpired in course of investigation. The petitioner is in custody since 21.11.2021 and has no criminal antecedent.

Heard learned APP for the State.

A report was called for from the learned trial court. As per the report received, charge has been framed.

Having heard learned counsel for the parties and taking into consideration the allegation of the petitioner having shot the husband of the informant with a pistol leading to his death, 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.

(Partha Sarthy, J)

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