

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28058 of 2022

Arising Out of PS. Case No.-37 Year-2020 Thana- HULASGANJ District- Jehanabad

=====

AMRESH KUMAR SON OF LATE CHAND SINGH @ HANSRAJ SINGH
R/O VILLAGE- BANBARIYA, P.S.- HULASGANJ, DISTRICT-
JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-01-2023 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 34 of
the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner is said to
have shot the brother of the informant in his head as a result of
which he died.

It is submitted by learned counsel for the petitioner
that the petitioner is not an eye witness to the occurrence. The
manner of occurrence is other than what has been narrated in the
FIR. He is in custody since 6.11.2021 and there is no chance of
the trial concluding in the near future. He undertakes to



cooperate in the trial. Learned counsel further submits that inspite of the time of occurrence being 11 am ie in broad day light, there being no eye-witness to the occurrence even in the entire investigation, the allegations against the petitioner is patently false.

Heard learned APP for the State.

A report was called for from the learned trial Court from which it transpires that the trial has commenced and one of the seven charge sheet witnesses has been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR according to which he is the sole/main assailant of the deceased, 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)

Prakash/-

U			
---	--	--	--

