

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45189 of 2023

Arising Out of PS. Case No.-229 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

SATYAM SINGH Son of Keshaw Singh Resident of village-Mahdah, P.S.-
SBuxar, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak

For the Opposite Party/s : Mr.Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 3 16-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Buxar (Muffasil) P.S. Case No. 229 of 2018 registered under Sections 147, 148, 149, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act.
4. As per the prosecution case, the petitioner and co-accused persons were assaulting the son of the informant Harendra Yadav who was being rescued by Mithai Chauhan.



The informant went there and told his son to go home by pulling his hand. In the meantime, the co-accused Vikash Singh and Sonu Singh took out pistols and gave it to the petitioner Satyam Singh and the co-accused Balwant Singh and told them to kill. Upon this, the petitioner shot on the back and the co-accused Balwant Singh shot on the head of the informant's son who being smeared with blood fell down and died on the spot. The co-accused Dhanji Singh and his brother-in-law fired on Mithai Chauhan who escaped to save his life. The co-accused Vikash Singh and Sonu Singh threatened the informant of dire consequences.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Earlier, learned Trial Court was directed to expedite the trial and conclude the same preferably within 9 months but the trial was not concluded within the aforesaid period. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.12.2020. It is further submitted that as per Letter No. 100 dated 02.08.2023, three witnesses including I.O. and doctor are to be examined and the conclusion of trial will take four months.

6. Learned A.P.P. for the State has vehemently



opposed the bail prayer by submitting that there is specific allegation against the petitioner. The post-mortem report suggests that the deceased sustained two firearms injuries and the cause of death is shock and haemorrhage and due to above mentioned injuries caused by firearms. Earlier, the prayer for bail of this petitioner was rejected by this Court vide order dated 22.08.2022 passed in Cr. Misc. No. 15779 of 2022.

7. Considering the aforesaid facts and circumstances of the case as well as the specific allegation against the petitioner, I am not inclined to enlarge this petitioner on bail. Therefore, the prayer for bail of this petitioner is rejected.

8. Learned Trial Court is further directed to expedite the trial and conclude the same preferably within four months from the date of receipt of this order.

9. Further, the petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of four months.

10. The bail petition stands rejected.

(Chandra Prakash Singh, J)

Alok Verma/-

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