

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52987 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- SURYAGARHA District- Lakhisarai

SUNIL SINGH SON OF LATE UCHIT SINGH R/O SHABHANI, P.S.-
SURAJGARHA, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

5 18-05-2023 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Surajgarha P.S. Case No. 43 of 2021, registered
for the offences punishable under Sections 302, 307/34 of the IPC
and section 27 of the Arms Act.

As per allegation, co-accused Goda Devi stopped the
tractor driven by the deceased. The other accused named persons
named in the FIR came there. The specific allegation against co-
accused Subodh Singh and the petitioner is that they fired shot at
the deceased.

The learned counsel for the petitioner has submitted that
the mother of the deceased was examined as PW-1 in Sessions



Trial No. 113 of 2021. Though her examination-in-chief, she has stated that Sunil Singh and the petitioner had fired shot at her son but in cross examination, she has stated that her son received injury by fire-shots, committed by co-accused Subodh Singh.

On the other hand, the learned APP Sri Shailendra Kumar has opposed the prayer for bail and submitted that the witnesses in paragraph nos. 5, 6, 27 and 28 of the case diary have stated that the petitioner had also fired shot at the deceased. The injuries are corroborated by the medical evidences.

Considering the above-mentioned facts and circumstances, I do not think it to be a fit case for bail, which is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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