

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66790 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- SITAMARHI District- Sitamarhi

Abhijit Singh @ Aashu @ Aanshu Son Of Dr. Anil Kumar Singh Resident Of
Village - Jagdish Barahi, P.S.- Purnahiya, District - Sheohar (as Per Fir).
Present Address Resident Of Village - Physical Gali, Ward No.- 28, Kalawati
Jiyalal Clinic, P.S.- Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 28-04-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302, 304(B)/34 of the Indian Penal Code and

Section 27 of the Arms Act.

It is alleged against the petitioner that he shot

at the daughter of the informant, as a result of which,

she sustained gunshot injuries and died at the spot.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is brother-in-law of the deceased. There is no motive to commit the offence by this petitioner. The informant is not the eye witness to the occurrence. During investigation, it came to light that informant was not present at the place of occurrence on the basis of mobile location of the informant. The petitioner is languishing in custody since 11.01.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner that he shot at the daughter of the informant as a result of which, she sustained gunshot injuries and died at the spot. The postmortem report also corroborates the case of the prosecution. The independent witnesses also supported



the case of the prosecution.

Considering the fact that there is specific accusation against the petitioner to have shot at the daughter of the informant resulting into her death, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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