

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74558 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- PARBATTa District- Khagaria

Chikku Singh Son Of Atardeo Singh R/O Village- Nayagown Sathkhutti, P.S.-
Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Parbatta P.S. case No. 128 of 2022 instituted for the offence
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

As per allegation in the FIR, on the alleged date of
occurrence when the informant was giving wages to his
labourers at that time six persons on three motorcycles arrived
and tried to drag informant's brother. Thereafter, this petitioner
fired bullet on the head of the informant's brother and other two
accused persons also fired at his chest due to which he died.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. There is
admitted dispute in respect of land is going on between the



parties due to which this petitioner has falsely been implicated in the present case. It is further submitted that the petitioner voluntarily surrendered on 2.8.2022 and since then, he is languishing in judicial custody.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that from perusal of prosecution case, there is direct and specific overt act against this petitioner who fired upon the person of the deceased due to which he died. Further, the postmortem report of the deceased corroborates the prosecution case in which doctor opined that the cause of death is due to firearm. It is further submitted the witness of this case supported the prosecution.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against this petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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