

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75297 of 2024

Arising Out of PS. Case No.-199 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

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Kumar Shiv S/o Mr. Dayanath Jha Resident of Village-Athri, P.S-
Runnisaidpur, Dist-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saptashwa Singh
For the Opposite Party/s : Mr. Akshay Lal Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 29-11-2024 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out
of Runnisaidpur Police Station Case No. 199 of 2024 dated
12.06.2024, disclosing offences under Sections 302, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the FIR, on 12.06.2024, in the evening,
while the informant and his wife were having dinner, the
petitioner along with other accused persons arrived there armed
with pistol and the petitioner told them to marry their daughter
to his nephew. Before the informant could understand, the
petitioner and others dragged the informant's wife out of the
house and on order of the co-accused, petitioner fired upon the
informant's wife due to which she died on the spot.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case at the behest of a powerful family whose members held a prominent political position as Sarpanch and member of the Panchayat Samiti. The petitioner had deposed in a case lodged against the nephew of the Sarpanch as a witness, therefore, he has falsely been implicated in the present case under his direction. The nephew of the Sarpanch namely Shivam Kumar alias Kallu and other members of his gang are history sheeters and are having eight criminal antecedents which has been stated in paragraph 8 of the application.

5. On the other hand, learned counsel for the State submits that there is direct allegation of firing upon the petitioner and the informant is an eye witness, as such, the petitioner does not deserve bail as he is a main assailant. The petitioner is in custody since 13.06.2024. During the course of investigation, the witnesses have also supported the prosecution story

6. Regards being had to the submissions made by the parties and taking into consideration the fact that there is direct allegation of firing upon the petitioner and the informant is an eye witness and petitioner is the main assailant , I am not



inclined to grant regular bail to the petitioner.

7. This application is, accordingly, rejected.

8. However, the petitioner may renew his prayer for bail after one year if the trial does not show progress.

(Anil Kumar Sinha, J)

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