

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82613 of 2023

Arising Out of PS. Case No.-1454 Year-2022 Thana- DANAPUR District- Patna

Himanshu Singh @ Himanshu @ Toranto Son Of Chandeshwar Prasad Singh
@ Chandeshwar Prasad R/O Mohalla- Gabhtal, Kurmiyan Gali, P.S.-
Danapur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 376 of 2023 (Arising out of Danapur P.S. Case No.
1454/2022), lodged on 14.12.2022 under Sections 302/120B, 34
of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against five named accused persons including the present
petitioner. The informant has directly made an allegation against
the petitioner that he fired on the head of the deceased resulting
in his death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 23.12.2023 having a clean
antecedent. Learned counsel further submits that the informant's



son himself is a notorious criminal of the locality and three criminal cases are pending against him, hence, there may be a chance that any other persons with whom he has enmity have committed this offence. The petitioner further submits that on the alleged date and time of occurrence, the petitioner was appearing in an examination.

5. Learned counsel for the State opposes the prayer for bail.

6. It transpires to this Court that there is a direct allegation of gunshot against the petitioner whereas the plea taken by the counsel for the petitioner has not been supported by any material.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Sessions Trial No. 376/2023(arising out of Danapur P.S. Case No. 1454 of 2022), pending before the learned Additional Sessions Judge-VI, Danapur, Patna is hereby rejected.

(Dr. Anshuman, J)

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