

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74578 of 2024

Arising Out of PS. Case No.-329 Year-2023 Thana- MAJORGANJ District- Sitamarhi

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Arun Kumar Singh @ Amit Kumar @ Arun Singh Son of Late Lalbabu Singh
@ Gali Singh Resident of Village - Dumarikala, P.S. - Majorganj, District -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-01-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Majorganj P.S. Case No. 329 of 2023, instituted for the offences
punishable under Sections 302, 120B of the Indian Penal Code
and Section 27 of the Arms Act

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons were involved in killing the
son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is named in the FIR but his name was disclosed by the informant who is not an eye witness of the said occurrence. Four unknown persons have opened fire upon the deceased due to which he received gunshot injury and died. It is next submitted that no T.I. parade has been conducted in this case. The petitioner is in custody since 22.12.2023 and has got twenty three criminal antecedents in which he has been acquitted in one case. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 29.04.2024 and 23.08.2024 passed in Cr. Misc. No. 33019 of 2024 and Cr. Misc. No. 60064 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is also submitted that the deceased in his dying declaration has specifically stated against the petitioner that petitioner has opened fire upon him. There is specific allegation against the petitioner and has twenty three criminal antecedents. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, criminal antecedent, nature of accusation and the



gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected at this stage. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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