

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80972 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- SINDHIYA District- Samastipur

Kalyan Kishore Singh @ Chun Chun Singh @ Kalyan Kishore Purnendu @
Kalyan Kishor Singh son of Late Lalit Prasad Singh Village -Basudeva P.S
-Singhiya District -Samastipur AT P/A- Village- Sanhauli, Ps- Khagaria, Dist-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-02-2025 Heard Mr. Vivekanand Singh, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP as also

the informant.

2. The petitioner is in custody in connection with
Singhiya P.S. Case No. 256 of 2023 for the offence punishable
under sections 302 and 34 of the Indian Penal Code and Section
27 of the Arms Act lodged on 14.10.2023 by the informant,
Chandan Kumar Singh.

3. As per the prosecution story, the informant alleged
that there is a land dispute going on between the agnates and the
accused side is their cousin brothers/uncle. The allegation is that
they came and on the order of Kislay Kishore Singh, this
petitioner, Kalyan Kishore Singh @ Chun-Chun Singh and



Kaushal Kishore Singh @ Murari Singh who were armed with pistols opened fire which hit the chest and the hand of the informant's father who fell down and taken to Singhiya Hospital but was declared dead. This led to the FIR.

4. Learned counsel for the petitioner submits that the FIR itself shows that there is a land dispute between the family, the occurrence took place on 12.10.2023 at 8:15 PM but the FIR was lodged on 14.10.2023 at 08:30 AM. Further, during the investigation, the informant has given a different version regarding his presence in Delhi and upon information, reached the place of occurrence and as such, the FIR lodged making specific allegation cannot be accepted.

5. Mr. Jitendra Kumar Singh, learned APP opposes the prayer for bail and has taken this Court to the comments of the learned Sessions Judge which shows that the deceased has injuries on his rib cage, behind the chest and on his arm which led to his death. It is his further submission that despite the occurrence being of October, 2023, the petitioner being alleged to be the main assailant, he came into judicial custody eight months later on 25.06.2024.

6. This Court has heard the parties and perused the record, on query from learned counsel for the petitioner whether



there are eye-witness to the occurrence and they have named this petitioner or not, the answer is in affirmative. There is direct allegation against the petitioner of having opened fire alongwith Kaushal Kishore Singh @ Murari Singh, the multiple injuries were found on the person of the deceased and he delayed coming into judicial custody.

7. In that background, this Court is not inclined to extend him the privilege of bail which is accordingly rejected.

8. Since the bail of the petitioner has been rejected, it is expected from the learned trial Court that once the file reaches its table, the same will be taken up to its logical conclusion without any unnecessary delay.

(Rajiv Roy, J)

Adnan/-

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