

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68714 of 2018**

Arising Out of PS. Case No.-125 Year-2017 Thana- GOPALPUR District- Bhagalpur

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Bimlendu Kumar @ Bimlendu Kunwar, Son of Late Ram Sharan Kumar @ Late Ram Sharan Kunwar, Resident of Village-Saidpur, Police Station-Gopalpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjana, Advocate

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal (APP)

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

4      19-12-2018                      Heard learned counsel for petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Gopalpur P.S. Case No. 125 of 2017 corresponding to Session Trial No. 896 of 2017, registered for the offences punishable under Section 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that on 15.06.2017 he along with his elder brother namely Vinay Kunwar (deceased) was going to Naugachia for some urgent work on their separate motorcycles, in the way petitioner along with all F.I.R. named accused persons intercepted him and co-accused Jitendra Kumar Gautam @ Guddu fired two rounds from his pistol upon the brother of the informant and thereafter all accused persons fired indiscriminately from their rifle and pistol and fled away. The



brother of the informant was taken to Mayaganj Government Hospital, Bhagalpur, but was declared brought dead by the doctor. Deceased when was being carried to Hospital was conscious and disclosed the names of four accused as named in F.I.R. to be the assailants in presence of police personnels and villagers and has been found to true during investigation. Petitioner has several antecedent.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. The specific allegation of firing is against co-accused Jitendra Kumar Gautam @ Guddu. Petitioner was member of mob only. The brother of the informant was a veteran criminal and he was killed in some other manner by some other persons. Petitioner is in custody since 16.06.2017.

Considering the allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

**(S. Kumar, J)**

Rajiv/-

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