

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29251 of 2019**

Arising Out of PS. Case No.-186 Year-2018 Thana- KASIMBAZAR District- Munger

Rajeev Kumar S/o Mahabir Tanti @ Mahavir Mistri R/o Mohalla- Nai Tola,
Mokbira, P.S.- Kasimbazar, District- Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kasimbazar P.S. case No.186 of 2018 registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act, pending in the court of Chief Judicial Magistrate, Munger.

Allegation against the petitioner is that he fired on Jairam Kumar, brother of the informant, which hit on his temporal region. People of the vicinity brought Jairam Kumar to Sadar Hospital, where doctor declared him dead.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 5.2.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has



falsely been implicated in the present case. There is no substantive evidence to suggest the implication of the petitioner in the present case. The time of occurrence is 9 p.m. in the night. Source of identification has not been disclosed.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The informant is an eye witness to the alleged occurrence. He has stated that the nephew of one Upendra Sharma is said to have fired upon the deceased. In his re-statement he has further clarified that the nephew of Upendra Sharma is the petitioner, who is said to have fired upon the deceased. There is specific allegation of firing upon the deceased against the petitioner. The petitioner is the main assailant.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

