

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.219 of 2020

Arising Out of PS. Case No.-603 Year-2019 Thana- NAUBATPUR District- Patna

Kaushlendra Kumar, aged about 38 years, Sex- Male, Son of Sideshwar Sharma @ Sudheshwar Singh, Resident of Village - Tadava Arap, Police Station - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 29-06-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Naubatpur P.S. Case No. 603 of 2019 registered for the offences punishable under Sections 307, 120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that one Satyendra Kumar lodged the F.I.R. alleging therein that on 14.09.2019, his son opened his shop and was sitting there, then two persons came and made firing upon his son consequently he got three fire arms injury. When the informant has seen the picture of C.C.T.V. camera, then the name of the petitioner transpires and recognized, who are the petitioner among other accused and one accused namely Bipul Kumar worked as liner of the said



occurrence. It is further alleged that the reason behind the occurrence is that the accused Kaushlendra Kumar arlier came to his house and asked extortion of Rs.2,50,000/- but caught by the people and handed over to the police.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to earlier enmity. He further submits that from perusal of the F.I.R., it is evident that there is no specific allegation to make firing upon his son by the petitioner. He further submits that from the perusal of the F.I.R., it is evident that if the prosecution story is true, the role of the petitioner is only conspirator not assailant. He further submits that the informant is not eye witness of this case rather he has lodged this only on the basis of C.C.T.V. camera.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected in connection with Naubatpur P.S. Case No.603 of 2019. However, petitioner is directed to renew his prayer for bail after framing of charge and the court below is directed to frame the charge against the



petitioner expeditiously.

(Anjani Kumar Sharan, J)

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