

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6902 of 2020

Arising Out of PS. Case No.-231 Year-2019 Thana- HARNAUT District- Nalanda

GAURAV KUMAR Son of Sanjay Kumar @ Sanjay Singh @ Sanjy Kumar
Resident of Village - Powari, P.S.- Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 302/120(B) of the Indian Penal Code and 27 of the
Arms Act.

Allegedly, the petitioner along with two others shot by
pistol upon son of the informant, due to which, the informant’s
son sustained fire-arms injury in his abdomen, back and in the
right side of abdomen. The injured son succumbed in the way



while he was being taken to PMCH for treatment.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 26-08-2019. Charge sheet has already been submitted. The petitioner has falsely been implicated in the present case. On the occasion of marriage, an orchestra party was going on and in course of that, the alleged occurrence is said to have taken place. As per the FIR, the petitioner along with two other co-accused namely Monu Kumar and Ghantu Jha is said to have fired upon the deceased. General and omnibus allegation has been made against all the three accused persons. No specific injury is attributed against the petitioner.

On behalf of the State and the informant, it is submitted that the petitioner is named in the Complaint Case/F.I.R. There is allegation of firing against the petitioner and other accused persons. As per postmortem report, two fire-arms injuries were found on the body of the deceased. The petitioner is said to be one of the assailants.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly,



prayer for bail of the petitioner in connection with Harnaut P.S.
Case No. 231 of 2019 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 copy of this order.

(Sudhir Singh, J)

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