

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21337 of 2020

Arising Out of PS. Case No.-226 Year-2019 Thana- GWALPARA District- Madhepura

SINTU KUMAR Son of Ranvijay, Resident of Village- Gwalpara, P.S.-
Gwalapara, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gajendra Kumar Jha, Adv.
For the State	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Pawan Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 10-09-2020 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. through Video
Conferencing.

Petitioner seeks bail in Gwalpara P.S. Case No.226 of
2019 registered under Sections 302, 120(B), 379 and 34 of the
IPC and under Section 27 of the Arms Act.

The informant alleged that while he was returning to
his village and when he reached near the land of Rajo Paswan,
6-7 persons armed with firearms intercepted the informant and
his nephew Ankush. The informant identified four persons
including the petitioner in the light of motorcycle. It is alleged
that Sintu Kumar (petitioner) fired at the chest of Ankush.
Thereafter Alok Kumar fired at Ankush causing eye injury.
Then, Pranav Kumar also fired causing injury on the back of
Ankush and Ankush succumbed to the injuries.



Learned counsel for the petitioner submits that there is specific allegation that it was petitioner, who firstly fired at the chest of the deceased Ankush but the petitioner was not present on the place of occurrence. He was present in the College to pursue his study but he has falsely been implicated in the case. It is further submitted that in view of this fact, the learned counsel for the petitioner seeks adjournment to withdraw the petition for grant of regular bail with liberty to move this Court for grant of regular bail after framing of charge.

Learned A.P.P. as well as learned counsel for the informant vehemently opposed the prayer for bail and submitted that the petitioner is one of the assailants of the deceased and it was he, who firstly fired at the chest of the deceased.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

It is needless to say that the petitioner may renew his prayer for bail whenever he desires to do so even after framing of charge.

(Prabhat Kumar Jha, J)

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