

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24072 of 2020**

Arising Out of PS. Case No.-36 Year-2019 Thana- RAJAOLI District- Nawada

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LAKHAN PANDIT Son of Late Lochan Pandit Resident of Village- Suarleti,
at present Hadiya, Sector- D, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-09-2020 Heard learned counsel for the petitioner as well as

learned counsel for the State through video conferencing.

Petitioner is an accused in Rajauli Police Station
Case No. 36/2019/GR No.452/2019/ STR No. 219/19 /208/19
registered for the offence punishable under sections
302/34/120B of the Indian Penal Code, under section 27 of the
Arms Act and under sections 15,18 & 20 of the UAP Act.

It is alleged by the informant that on 2.2.2019 at about
8 am the petitioner and other accused persons came to his field
where his father was working. They tied the hands of his father
and uncle with towel, thereafter, the petitioner took rifle from
the hands of Hari Pandit and fired the same which hit at the
chest of his father as a result of which he fell down. Meanwhile,
co-accused Biru Pandit fired two bullets from the same rifle on



the head of his father. The victim died on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the victim might have been killed by some other miscreants but the petitioner has been named in this case because of some previous enmity with the informant. He submits that nothing incriminating has come against the petitioner during investigation to connect him with the occurrence. Similarly situated co-accused have already been allowed bail by different benches of this Court which have been mentioned in paragraph 10 of the bail petition. Petitioner is in custody since 4.2.2020.

Learned counsel for the State submits that during investigation several witnesses have supported the allegation. He further submits that the petitioner has several criminal cases pending against him.

In view of the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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