

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24350 of 2020

Arising Out of PS. Case No.-188 Year-2019 Thana- BARURAJ District- Muzaffarpur

Pranjal Kumar, aged about 25 years (M), son of Ramadhar Singh, resident of Village- Pratappatti, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Sharad Kumar, Advocate Ms. Rashmi Jha, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 09-12-2020 Heard learned counsel for the petitioner and Mr. Md. Aslam Ansari, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Baruraj P.S. Case No. 188 of 2019 registered for the offence under Section 307, 120(B), 34 of the I.P.C. and Section 27 of the Arms Act.

The allegation as per the First Information Report is that three persons riding on a motorcycle intercepted the informant and his brother and one of them having pistol in his hand fired at his brother due to which his brother fell down and subsequently died during the course of treatment and another person fired upon the informant and the bullet hit the right hand



of the informant.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of his confessional statement recorded in another case and from that case he has been remanded in the present case. Learned counsel further submits that petitioner is not named in the F.I.R. and no T.I.P. has been conducted by the Police. Learned counsel further submits that petitioner is in custody since 01.02.2020.

On the other hand, learned counsel for the State referring to the case diary submits that the co-accused / Subodh Singh is named accused in the First Information Report and the petitioner is his accomplice having criminal antecedent, who has confessed his guilt and has vividly given the description of the occurrence and has stated that he fired one bullet upon the deceased and the deceased received one injury in his ribs. Learned counsel further submits that re-statement of the informant has been recorded in paragraph no. -83 of the case diary in which he has stated that Subodh Singh, Dilkhus and other accused person i.e. the petitioner had committed some offence earlier and during the course of fleeing away they had thrown the pistol near the shop of the informant and were demanding the pistol from the informant and when the



informant said he was not knowing about the whereabouts of the same, his brother has been killed by the petitioner and other co-accused persons.

Having regard to the submissions made by the parties and taking into consideration the materials available on record in totality, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the same is rejected.

However, the petitioner may renew his prayer for regular bail after six months from today, if the trial does not record any progress.

(Anil Kumar Sinha, J)

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