

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28532 of 2020

Arising Out of PS. Case No.-831 Year-2019 Thana- SASARAM NAGAR District- Rohtas

PAPPU KAHAR @ VISHAL KUMAR S/o Late Bulaki Kahar Resident of
Village- Mubarakganj, P.S.- Sasaram Town, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishhnavi Singh

For the Opposite Party/s : Mr. M. K. Nirala

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-11-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

The petitioner seeks regular bail in connection with
Sessions Trial No. 68 of 2020, arising out of Sasaram Town
Police Station Case No. 831 of 2019, registered for the offences
punishable under Sections 147/148/149/342/302/120-B of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is
that on 19.09.2019, at about 05:30 AM, the informant was going
on morning walk along with his father and when they reached
near Hanuman Temple, the petitioner, along with other accused
persons, eight in numbers, started firing indiscriminately. It has
further been alleged that the petitioner fired upon the father of
the informant on his head/temple and the firing made by co-



accused Aftab Alam hit the thigh of his father, who subsequently died.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to previous enmity inasmuch as both the parties are on inimical terms. She further submits that the father of the petitioner was killed, in which the side of the prosecution have been made accused. She next submits that the petitioner is in custody since 21.10.2019.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that there is direct allegation of firing upon the petitioner, the allegation is supported by the post-mortem examination report, as mentioned in the impugned order and the case is fixed for recording of evidence, I am not inclined to grant bail to the petitioner.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail if the trial is not concluded within nine months from today.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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