

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.79912 of 2019**

Arising Out of PS. Case No.-7 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

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KHALIULLAH ANSARI @ KHALILLULAH ANSARI @ GUDDU
ANSARI S/o Basir Ansari R/o village- Mathia Hata, P.S.- Kuchaikot, District-
Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ramakant Sharma, Sr. advocate

For the Opposite Party/s : Mr.Satyavrat Verma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 04-09-2020 Heard Mr. Ramakant Sharma, learned Senior Counsel

for the petitioner and Mr. Satyavrat Verma, learned A.P.P. for the

State.

Petitioner in the present case is seeking regular bail in
connection with S.T. No. 183/2019 arising out of Kuchaikot P.S.
Case No. 07 of 2019 registered for the offence under Section
147, 148, 149, 302 of the Indian Penal Code and Section 27 of
the Arms Act, pending in the court of learned Additional District
and Sessions Judge, VIIIth, Gopalganj.

Learned Senior Counsel for the petitioner submits that
although there are allegations of firing against the petitioner and
in the alleged occurrence two persons have died, there is another
angle of the case which has been disclosed by the Block
Development Officer in his F.I.R. as contained in Annexure '2'



to the present application.

Learned Senior Counsel has further submitted that although the petitioner is an accused in two other cases but in those cases he is on bail.

Mr. Satyavrat Verma, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. He has drawn the attention of this court towards the allegations made in the F.I.R. as contained in Annexure '1' wherein it is specifically alleged that at the instance of one Basir Ansari this petitioner started firing upon the son and brother of the informant, they fell down because of the injuries sustained by them on the vital part of their bodies and the informant somehow fled away from the place of occurrence. Both the injured succumbed to their injuries on way to hospital.

Learned A.P.P. further clarifies that Annexure '2' is an F.I.R. lodged by the Block Development Officer in respect of another occurrence when he reached to the place of occurrence and had arrested the accused persons in connection with this case a crowd assembled there and started firing upon the police party. Somehow the police party brought the arrested accused including this petitioner to the police station. It is, thus, submitted that Annexure '2' is with regard to the another occurrence.



Learned A.P.P. points out that the post-mortem report of the deceased duly supports the allegation against this petitioner as more than one fire-arm injuries have been found on the body of the deceased and the petitioner is the sole assailant.

Having regard to the facts and circumstances of the case, the direct allegation against the petitioner getting support from the post-mortem report as well and considering the gravity of the offence, this Court is not inclined to grant privilege of regular bail to the petitioner.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

