

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26948 of 2021**

Arising Out of PS. Case No.-132 Year-2020 Thana- PUNPUN District- Patna

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RAUSHAN KUMAR S/o Late Rajkishor Yadav R/o village- Dhamaul, P.S.-
Parsa Bazar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr .Rina Sinha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Punpun P.S. Case No. 132 of 2020 registered for the offence under Sections 302, 120(B) and 34 of the Indian Penal Code.

Two miscreants are said to have fired upon the son of the informant as a result of which, he died during course of treatment.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been



implicated in this case. In fact, the petitioner has been made accused in this case on the basis of confessional statement of the co-accused, Vishal Kumar, against whom the petitioner is having inimical terms. No direct allegation of firing or any overt act is attributed to the petitioner. The petitioner is rotting in judicial custody since 02.06.2020.

Learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioner. He further refers to paragraph-58 of the case diary, which is a confessional statement of the co-accused, Vishal Kumar, in which he has narrated that the petitioner has planted the entire episode for killing the deceased, who is said to be brother-in-law (Sarhu) of the petitioner. He has also stated that the petitioner has given one lakh thirty thousand to him for killing the deceased. Moreover, the witnesses have also supported the prosecution version, which is evident from paragraph nos. 11, 12, 13 and 14 of the case diary. He further submits that the petitioner is having one more case other than the present one.

Considering the facts and circumstances of the case and the nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, the application for grant of



bail to the petitioner is rejected.

However, the learned trial court is directed to expedite the trial and try to conclude it as early as possible.

(Rajesh Kumar Verma, J)

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