

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23706 of 2021

Arising Out of PS. Case No.-745 Year-2019 Thana- FATUA District- Patna

SUBODH KUMAR S/o Late Lal babu R/o village- Sotichak, P.S.- Fatuha,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 20-12-2021 The applicant/accused in Crime No.745 of 2019 registered with Fatuha Police Station for the offences punishable under Sections 341, 323, 324, 384, 386, 307, 504, 506/34 of the Indian Penal Code as well as Section 27 of the Arms Act at the instance of first informant, Rajeev Ranjan, by this application is seeking release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. He submits that the applicant is undergoing pre-trial detention for about one and a half year. It has further been argued that allegations are against main accused, Pawan Kumar and presence of the applicant is stated in the F.I.R.

The learned APP opposed the applicant.

I have considered the submissions so advanced and also perused the case diary.

According to the prosecution case, co-accused, Pawan had called injured Anil Singh and demanded an amount of Rs. 5 lakhs. It has further averred that threat was extended that if the amount as demanded is not paid, Anil Singh would be killed. According to the prosecution case, on 27.10.2019, co-accused, Pawan along with the present applicant came to the house of first informant, Rajeev Ranjan, who happens to be son of injured Anil Singh. Both the applicants opened fired. The first information report shows that bullet fired by co-accused Pawan hit on abdomen of Anil Singh whereas another bullet fired by the present applicant hit at the hands of the victim.

It is seen that the victim was subject to extortion by the accused persons for purchase of arms and ammunicions. Injury certificate of Anil Singh shows the extensive damage caused to him because of bullet injury.

Considering the nature of the offence against the applicant/accused and the manner it was committed, no case for grant of bail is made out. Accordingly, this application is rejected.

(A. M. Badar, J)

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