

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28824 of 2021

Arising Out of PS. Case No.-30 Year-2020 Thana- BITHAN BAZAR District- Samastipur

LALAN KUMAR Son of Devi Lal Yadav Resident of Village- Jagmohra,
P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Md. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, unknown miscreants shot dead the father of informant.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation as looted mobile has been recovered from the possession of this petitioner. It is submitted that the same was purchased by him from co-accused, Jyoti and Pappu. Petitioner is a handicapped person and his disability percentage is 45% and he cannot be said to be involved in aforesaid crime. Petitioner claims clean antecedent and is in



custody since 03.04.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that during the course of investigation mobile of the deceased was recovered from possession of this petitioner and on the disclosure made by this petitioner motor cycle of the deceased was also recovered.

Considering the facts of the case and the gravity of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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