

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1891 of 2021**

Arising Out of PS. Case No.-270 Year-2019 Thana- SONBERSA District- Sitamarhi

Chandan Kumar aged about 25 years S/O- R/o Village- Bela, P.S.- Sonbarsa,
District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Alok Kumar Jha, Advocate

For the Opposite Party : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-03-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the
State.

The petitioner seeks regular bail in Sonbarsa
Police Station Case No. 270 of 2019 registered for the
offences punishable under sections 302/34 of the Indian
Penal Code and 27 of the Arms Act.



As per the prosecution case, on 7.12.2019 at about 1.20 PM when informant's son went to Parsa Chauk for having betel leaf, all the accused persons including this petitioner came there on motorcycle and made indiscriminate firing and when informant's son tried to escape, co-accused Vikek Kumar caught hold of him and the petitioner that he has fired bullet on the head and rib-cage as a result of which he sustained firearm injury and died on the way to the hospital.

Learned counsel for the petitioner submits that informant is not the eye witness of the occurrence. The petitioner is innocent and has falsely been implicated in this case due to village politics. Petitioner is in custody since 13.1.2020.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner has he fired bullet on the head and rib cage of the victim as a result the deceased died. Witnesses have also supported the prosecution case during course of investigation.

In view of the specific allegation against the petitioner of making firing on the informant's son causing



firearm injury as a result of which, son of the informant died coupled with the fact that the doctor has also opined that the death has been occurred due to firearm injury, petitioner’s prayer for bail is refused.

(Prabhat Kumar Singh, J)

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