

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4040 of 2021

Arising Out of PS. Case No.-676 Year-2019 Thana- HAJIPUR District- Vaishali

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MUKESH KUMAR Son of Ganesh Bhagat Resident of Village - Hadsarganj,
Ward No.2, P.S.- Town, Distt.- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan Sinha, Advocate
For the State	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Rajeev Ranjan No. II, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 02-08-2021 Heard the parties in virtual court proceeding.

Let the defect(s) be removed within four weeks of
start of the physical court.

The petitioner is languishing in custody for the
offences punishable under Sections 302, 34 of the I.P.C. and
Section 27 of the Arms Act.

According to first information report since the
petitioner had developed illicit relation with the wife of the
deceased, the petitioner allegedly caused firearm injury to the
deceased who was younger brother of the informant.

Learned counsel for the petitioner submits that both
the parties are agnates and there is property dispute in the family
and that is the reason for false implication.



The son of the deceased, who was sleeping along with the deceased at the time of the occurrence, has levelled allegation against the petitioner of commission of firearm injury and death of his father vide para 31 of the original case diary.

Learned counsel for the informant opposed the prayer for bail.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Hence, prayer for bail is refused in connection with Hajipur Town P.S. Case No. 676 of 2019 pending in the court of learned Chief Judicial Magistrate, Hajipur, Vaishali.

The learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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