

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3916 of 2021**

Arising Out of PS. Case No.-93 Year-2020 Thana- ARA NAGAR District- Bhojpur

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GUDU KUMAR @ GUDDU PRASAD, SON OF MUNNA PRASAD, R/O
MOHALLA- SHITAL TOLA, ARA, P.S.- ARA TOWN, DISTRICT-
BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Adv.

For the Opposite Party/s : Mr.Brij Kishore Pd., APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 02-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegation against the petitioner alongwith other
accused persons is of killing the husband of the informant by
gun shot.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The husband of the informant taken Rs.50,000/- from the
petitioner for running his shop one year ago but he has not
returned the money to the petitioner and due to paucity of the



fund the petitioner was demanding money from the husband of the informant. In the meantime, the occurrence took place and the informant took the name of the petitioner only to settle the money dispute with the petitioner. There is enmity with one Rakesh Kumar with the husband of the informant and due to that the husband of the informant killed by them. The petitioner is in jail custody since 04.03.2020 and there is no criminal antecedent against the petitioner.

Learned APP for the State opposes the prayer for bail petition of the petitioner and submits that according to the FIR, there is specific allegation against the petitioner namely Guddu Kumar who fired upon the deceased.

I perused the case diary there is specific overt act against the petitioner namely Guddu Kumar who fired upon the deceased and the witnesses have also supported the prosecution case.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Ara Town P.S. Case No. 93/2020 from the Court of learned Chief Judicial Magistrate, Ara.

Accordingly, this application is dismissed.



However, the trial court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

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