

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5999 of 2021

Arising Out of PS. Case No.-59 Year-2016 Thana- KARPI District- Jehanabad

GAURAV KUMAR S/o Rama Singh @ Ramashankar Sharma, R/o Village-Sheonagar, P.S.- Karpi, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry, Adv.

For the Opposite Party/s : Mr.Ashok Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-08-2021 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 27 of the Arms Act.

Allegation against the petitioner alongwith other accused persons is said to have assaulted the informant and the petitioner had killed the father of the informant by fired shots.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that deceased was the father-in-law of Sarita Devi, Sarita Devi without any threat and coercion sworn an affidavit before the Notary Public, Civil Court, Arwal on 15.11.2017 and the said affidavit has been filed by the petitioner, he stated that the co-accused persons have been made accused in the present case. Niwas Sharma (deceased) was the



father-in-law of the deponent-Sarita Devi. The aforesaid accused persons are not the real culprit of the murder of the father-in-law (Sasur) of the deponent rather the father-in-law of the deponent was killed by his own son namely Sudhir Sharma with the help of the criminals. The petitioner is in jail custody since 13.03.2020. The petitioner has no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail petition and submits that there is specific overt act against the petitioner. Allegation against the petitioner is that he fired upon the deceased.

Considering the fact that there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Karpi P.S. Case No. 59/2016 from the Court of learned Judicial Magistrate-1st Class, Arwal.

Accordingly, this application is dismissed.

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

(Anjani Kumar Sharan, J)

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