

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7217 of 2021**

Arising Out of PS. Case No.-40 Year-2020 Thana- PUNPUN District- Patna

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Gopal Kumar Son Of Vinay Prasad R/O Vill.- Oalidad, P.S.- Mahendia, Dist.-
Arwal

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Sarvan Kumar, Advocate
For the State	:	Mr.Akhileshwar Dayal, APP
For the Informant	:	Mr. Sadanand Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 04-08-2021 Heard learned counsel for the petitioner, learned counsel
for the informant and learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Punpun P.S. Case No. 40/2020 registered for the offence under Section 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant has alleged that on 31.01.2020 at about 6:20 A.M. his son Rahul Kumar had gone to Gaya but did not return till late night, thereafter he has received information that near Jolbigha village on road one person was killed by criminals. The informant reached there and found the dead body of his son, thereafter police has sent the dead body for post mortem to P.M.C.H. Patna.

Learned counsel for the petitioner submits that

petitioner who is otherwise a student of Intermediate Class has been falsely implicated in this case on mere suspicion.

Learned A.P.P. for the State has gone through the case diary and has informed this Court that in course of investigation, the petitioner and the accomplice of the petitioner namely, Atal Bharat @ Sunil Kumar confessed their guilt and on their disclosure the revolver used in killing the deceased son of the informant has been recovered. This petitioner is said to have fired upon the deceased. The prayer for bail of the co-accused Atal Bharat @ Sunil Kumar has been rejected by learned coordinate Bench of this Court.

Considering the facts and circumstances of the case, the seriousness of the allegations and the materials collected in course of investigation particularly the recovery of revolver at the instance of this petitioner, and rejection of the prayer for bail of the co-accused, this Court is not inclined to release the petitioner on bail.

The prayer for bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.