

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14471 of 2022

Arising Out of PS. Case No.-220 Year-2020 Thana- BALIYA District- Begusarai

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DHARMVEER KUNWAR Son of Mr. Janardan Kunwar R/o village-
Gokhlenagar Vishnupur, P.S.- Baliya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nilesh Kumar Mr. Ajay Kumar Thakur Mr. Ritwik Thakur Adv.
For the Opposite Party/s :		Mr. Akshay Lal Pandit
For the Informant/s	:	Mr. Chandra Mohan Adv.
For the State	:	Mr. Akshay Kumar Pandit

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 23-08-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered u/s 341, 302, 307, 452, 323
504 and 201 read with 34 of the Indian Penal Code and Section
27 of the Arms Act.

As per the prosecution case, the petitioner and co-
accused persons entered the house of the informant and started
abusing and assaulting. On being objected by the informant's
father, all the accused persons shot the informant's father dead.



Co-accused Jivesh Kunwar had also opened fire near his chest. Previously, co-accused Jivesh Kunwar had also fired on the informant for which Ballia P.S. Case No. 339/2017 was lodged against the petitioner and others on account of molestation of the informant's niece. It is further stated that the co-accused also killed their servant Prabhu Narayan to implicate the informant and his family members.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition which are related to murder, rape and Arms Act. The petitioner is in custody since 07.03.2020.

Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail by submitting that the material clearly indicates the presence and participation of the petitioner in the crime alleged. Three firearms injuries have been found on the body of the deceased.



The bail petition of the other co-accused has already been rejected vide order dated 09.12.2021 passed in Cr. Misc. No. 30778/2021. Previously, the petitioner and the co-accused also fired on the informant.

Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within nine months.

This application is rejected.

(Chandra Prakash Singh, J)

shobhakri/-

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