

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36446 of 2021

Arising Out of PS. Case No.-316 Year-2020 Thana- KALYANPUR District- Samastipur

Alok Kumar @ Nanki Son of Late Ramashish Pandey Resident of Village -
Rampura, P.S.- Kalyanpure, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur

Ms. Vaishnavi Singh

For the Opposite Party/s : Mr. Pramod Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-02-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Kalyanpur P.S. Case No.
316 of 2020, registered for the offence punishable under Section
302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, this petitioner caused
gunshot injury on the chest of informant's husband who died on
the way to hospital.

It is submitted on behalf of the petitioner that during
course of investigation some of the witnesses have not
supported the allegation as made against the petitioner in the
FIR and also disputed the presence of petitioner and his family
members. During course of investigation, co-accused Aman



Kumar @ Chotu was apprehended who gave his confessional statement before the police and as per his statement it was co-accused Ramesh Thakur who fired on the person of husband of informant, as a result of which he died. Petitioner is in custody since 01.01.2021 having no criminal antecedent.

Counsel for informant as well as learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is the main assailant of deceased and there is specific and direct allegation of firing against him.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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