

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38802 of 2021**

Arising Out of PS. Case No.-485 Year-2020 Thana- MINAPUR District- Muzaffarpur

BAL KRISHNA KUMAR S/O RAJESH PRASAD R/o village- Kharhar, P.S.-
Meenapur, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sri Niwas Jha
For the Opposite Party/s	:	Mr.Ram Naresh Ray
For the Informant	:	Mr. Ranjit Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 24-02-2022 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302/34 of the Indian Penal
Code and u/s 25(1-b)a, 26/27/ 35 of Arms Act.

As per the prosecution case, while the deceased was
returning home this petitioner along with other FIR named
accused persons surrounded and shot him dead. It is further
alleged that Ritik Raushan, nephew of the deceased, ran away
when the deceased was surrounded by the assailants and
revealed the incident to the informant.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the



case. There is general and omnibus allegation against this petitioner and no specific overt act has been alleged against him. Petitioner claims clean antecedent and is in custody since 30.10.2020 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that petitioner is one of the assailants of the deceased and there is direct and specific allegation of firing against him.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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