

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43788 of 2021**

Arising Out of PS. Case No.-804 Year-2019 Thana- JAHANABAD District- Jehanabad

KUNDAN KUMAR Son of Dileep Ram @ Dilepp Ram Resident of Village
- Bishunganj, Rented House of Bithal Singh, P.S. and Distt.- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

5 28-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 04.02.2021, seeks
regular bail in connection with Jehanabad P.S. Case No. 804 of
2019 registered for offences punishable under Sections 394, 302
of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story in brief is that while the elder son of
the informant was returning back to his home after seeing the
Dussehra Mela, on the way, some unknown miscreants had tried
to snatch his mobile and when his son had protested, the said
miscreants had fired gun shots on him, resulting in his
subsequent death during the course of treatment.



Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he is not named in the FIR. He has falsely been implicated in the present case. Petitioner has clean antecedent and he is in custody since 04.02.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He submits that the deceased had disclosed that the present petitioner had fired upon him gun shot injury and in course treatment the deceased was declared dead.

Considering the direct allegation against the petitioner, I am not inclined to release the petitioner on bail.

Accordingly, the present bail application is dismissed.

(Purnendu Singh, J)

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