

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45651 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- KOTWALI District- Munger

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Rupesh Kumar S/O Sri Ramadhar Kunwar R/O Village-Kaithma, P.S-
Muffasil, District-Begusarai. Petitioner

Versus

The State Of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by Stamp Reporter within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ram Anurag Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Sessions Trial No. 121 of 2021 arising out of Kotwali P.S. Case No. 190 of 2020 registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act. He is in custody since 18.08.2020 and has altogether 22 criminal antecedents.

Learned counsel for the petitioner submits that as per the First Information Report, the petitioner with co-accused Hariom Kumar visited the house of the informant and asked about his wife and in that course the petitioner is alleged to have shot at the informant's husband as a result of which in course of treatment he died.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is the brother-in-law of the deceased and had facing some matrimonial dispute with his wife and out of the said dispute the family members of the deceased has falsely implicated this petitioner. The petitioner is in custody since 09.09.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner has huge criminal antecedent.

Having regard to the seriousness of the allegations wherein this petitioner is the main and sole assailant of the deceased and he has got altogether 22 criminal antecedents, though in 16 cases he is said to have been acquitted, in the nature of the specific allegations and the materials as also the criminal antecedents showing that during his continuance on bail the petitioner has got involved in commission of serious offence, 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)

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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'.

