

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55480 of 2021

Arising Out of PS. Case No.-294 Year-2020 Thana- SANDESH District- Bhojpur

Vijay Nut @ Vijay Nat Son Of Bhola Nat @ Dasai Nat R/O Village- Sandesh,
P.S.- Sandesh, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-05-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Sandesh P.S.Case No. 294 of 2020 for the offences
punishable under Sections 147, 148, 149, 302 of the Indian
Penal Code.

As per prosecution case, it is alleged that on
12.10.2020 at about 8 p.m while the informant along with Udit
Narayan @ Munna his nephew were going to Sandesh for
purchase some medicine. Some miscreants armed with weapon
concealing their faces, intercepted and snatched their
motorcycle, ring, chain, cash and other valuable articles. It is



further alleged that in course of protest by the informant, their faces became uncovered and the informant identified them as Vijay Nut, Manoj Nut and Sanjay Nut. However, he did not identify two other accused persons. It is further alleged that this petitioner fired at Udit Narayan@ Munna due to which he sustained bullet injury and died during course of treatment on 14.10.2020.

It is submitted on behalf of the learned counsel for the petitioner that from bare perusal of the F.I.R, the story appears to be suspicious that on protest, all of a sudden, the faces of all the miscreants became uncovered and the informant identified the accused persons. It is submitted by the learned counsel for the petitioner that there was some dispute between local police and this petitioner which resultant in lodging of this F.I.R and the name of this petitioner has been implicated in the present case and shown to be assailant. It is also submitted that this petitioner made accused in three cases at one point of time and prior to that he has never found involved in any other cases. Petitioner is in custody since 21.12.2020.

On the other hand, learned counsel for the State vehemently opposed the bail application and submits that petitioner is an assailant, who fired upon the deceased. It is



submitted that in course of investigation, other witnesses supported the prosecution case. Apart from that post mortem report also suggest that deceased received fire armed injury.

Considering the gravity of the offence and taking into account the nature of allegation that petitioner fired upon Udit Narayan @ Munna due to which he succumbed to injury and the post mortem report also suggest that he received bullet injury, this court not inclined to enlarge the petitioner on bail and hence, his prayer for bail in connection with Sandesh P.S.Case No. 294 of 2020 stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same, expeditiously.

(Harish Kumar, J.)

N.K/-

U		T	
---	--	---	--

