

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45505 of 2022

Arising Out of PS. Case No.-276 Year-2019 Thana- NAYA RAM NAGAR District- Munger

AMAN KUMAR Son of Laxmi Yadav Resident of Village/Mohalla- Kanchan
Garh, Bank, P.S. Muffasil, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha,Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh,Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-11-2022 The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Sessions Trial No. 28/2021, arising out of Naya Ram Nagar P.S. Case No. 276/2019, registered for the offences under Sections 302, 307, 324, 386, 34 of the Indian Penal Code and Section 27 of the Arms Act, inasmuch as the earlier petition, filed by the petitioner, for grant of bail was rejected by this Court by an order dated 21.12.2020, passed in Criminal Miscellaneous No. 30247 of 2020.

The petitioner is alleged to have fired from his pistol upon the son of the informant on his throat resulting in his death on the spot.

The learned counsel for the petitioner submits that the petitioner is languishing in custody since 18.10.2019, and there is no chance of completion of the trial in near future.



Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that this Court had earlier in its order dated 21.12.2020, elaborately considered the materials available in the case diary and had found that there are ample materials to suggest the complicity of the petitioner in the alleged crime, apart from the fact that the petitioner is not only the main assailant who had fired on the son of the informant resulting in his death on the spot but is also having a bad criminal antecedent.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that there is no change in circumstance so as to warrant re-consideration of the prayer of the petitioner for grant of bail to the petitioner herein, apart from the fact that the petitioner is prima facie having complicity in murdering the son of the informant, hence, the present petition stands dismissed, sans any merit.

(Mohit Kumar Shah, J)

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