

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55781 of 2021

Arising Out of PS. Case No.-34 Year-2018 Thana- BHAGWANPUR District- Begusarai

Pinkesh Kumar S/O Ajay Kumar @ Chunchun Singh Resident Of Village-
Mokhtiyarpur, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Braj Bhushan Poddar
For the Opposite Party/s :	Mr.Yogendra Kumar Singh
	Mr. Anant Kumar Bhaskar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Bhagwanpur P.S. Case No. 34 of 2018, registered for the offence punishable under Section 307 and other allied sections of the Indian Penal Code. Subsequently, section 302 IPC was added.

As per the FIR, on 02.03.2018 at about 11.30 am all the FIR named accused persons including this petitioner and three unknown persons came at the door of informant and started abusing and threatened to withdraw the case. The accused persons also demanded extortion of Rs. Ten lakh. The informant informed the police and the police arrived and after enquiry when police left the place, again this petitioner along with two co-accused are alleged to have fired upon the



informant which hit his chest and thigh, as a result of which he died. Present FIR has been lodged on the basis of disclosure made by the deceased.

It is submitted on behalf of the petitioner that there is general and omnibus allegation and from the FIR it is not clear who shot the informant. Due to previous enmity petitioner and all his family members have been implicated in this case. Petitioner is in custody since 29.09.2018.

Learned counsel for the informant as well as learned APP however, vehemently opposed the prayer for bail and submitted that there is direct and specific allegation of firing against this petitioner causing death of informant. It is further submitted that in this case five witnesses have already been examined.

Considering the facts aforesaid, nature of accusation and stage of trial, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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