

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59790 of 2021**

Arising Out of PS. Case No.-440 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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MURARI KUMAR @ MURARI SINGH S/o SHUSHIL SINGH R/o
VILLAGE-INIYAR, P.S-MUFFASIL (LAKHO), DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 12-04-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Muffasil (Lakho) P.S. Case No. 440 of 2020/ G.R. No. 2913 of

2020 registered for the offence under Sections 324, 307 and

34 of the Indian Penal Code and Section 27 of the Arms Act.

Soon after three months, Section 302 of the Indian Penal

Code has been added.

The son of the informant is said to have been killed

by the petitioner by inflicting him gun shot injury.

Learned counsel appearing for the petitioner

submits that the petitioner is innocent and has falsely been

implicated in this case. He further submits that there is land



dispute between the parties and on account of that, the petitioner has been made accused in this case. He further submits that as a matter of fact, the alleged occurrence took place on 29.08.2020 whereas the F.I.R. has been instituted on 02.09.2020 after four days without explaining the plausible delay which creates doubt over the prosecution version. He further submits that according to the informant his another son, Pankaj Kumar, is claimed to be eye witness to the alleged occurrence but his statement has not corroborated with the allegation levelled in the F.I.R. as he has not disclosed any specific name as to who has inflicted gun shot injury to the deceased. The petitioner is rotting in custody since 15.03.2021.

Learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioner and submits that the direct allegation of firing is attributed to the petitioner who according to the F.I.R. and the witnesses, has allegedly fired upon the deceased causing firearm injury to the back side of the head of the deceased resuttanlty he died during course of treatment and the postmortem report also corroborate with the allegation as alleged in the F.I.R.

Considering the facts and circumstances of the



case, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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