

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9808 of 2023

Arising Out of PS. Case No.-564 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

Nishant Kumar @ Tinku Kumar S/O Ram Naresh Singh R/O Mohalla- New
Jaganpura, P.S- Ramkrishna Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 07.03.2022, in connection with Sessions Trial No. 908 of 2022 arising out of Ramkrishna Nagar P.S. Case No. 564 of 2021, F.I.R. dated 19.11.2021 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he has fired on the temple of the informant's grand-son namely Vicky Kumar and later on he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as



alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R. as well as case diary that there is direct and specific allegation against the petitioner that he has fired upon the victim and the victim died and the medical report of the victim also supports the allegation as alleged in the F.I.R. and apart from the aforesaid, the petitioner carries two more cases other than the present one.

6. Considering the aforesaid facts and circumstances of the case that there is direct and specific allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 908 of 2022 arising out of Ramkrishna Nagar P.S. Case No. 564 of 2021 pending in the Court of learned A.D.J. IX, Patna.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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