

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13910 of 2023

Arising Out of PS. Case No.-321 Year-2020 Thana- DARAUNDA District- Siwan

Rishabh Jaiswal @ Rishabh Raj Son Of Vijay Kumar @ Narayan Jaiswal @
Sant Ji R/O Vill.- Sihauta Bajar, P.S.- Mahajarganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 302/120(B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, five accused persons
on two motorcycles came to the house of the informant and they
took away his son, saying that he will return back within two
hours. It is further alleged that one Santu Chaudhary informed
the informant through mobile that he came to know by Rahul
Singh that petitioner killed his son by firing.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
previous enmity. Allegedly three persons fired on the son of the



informant but only one injury was found in postmortem report, which creates serious doubt. Petitioner is languishing in judicial custody since 29.10.2021.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that there is direct allegation of firing against the petitioner resulting into death of informant's son. During investigation, several witnesses have supported the prosecution story. As per postmortem, doctor opined cause of death due to fire arm. Medical report is in consonance with the prosecution story.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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