

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15789 of 2023

Arising Out of PS. Case No.-412 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Gaurav Kumar S/O Ram Keshwar Singh R/v- Panshalla, 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.Pranav Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Muffasil P.S. case No.412 of 2022 instituted for the offence
under Sections 147, 341, 323, 307, 504, 506 of the Indian
Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, on the alleged date of
occurrence the informant along with his brother were cutting
grass and in the meantime several accused persons including
the petitioner armed with weapons came there and surrounded
them. After some scuffle, accused Ram Keshwar Singh
ordered to kill them and thrown on the ground. They started
assaulting them with fists and slap. The informant along with
his brother tried to flee away but on the order Ram Kehwar



Singh, Gaurav Kumar (Petitioner) and accused Manish Kumar fired upon the informant as a result of which he sustained gun shot injury.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in the present case. Both the parties are of same village and due to land dispute the alleged occurrence took place at the spur of moment. It is further submitted that the petitioner is languishing in judicial custody since 25.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that from perusal of prosecution case, the petitioner has eight criminal antecedents and there is direct and specific overt act of opening fire against this petitioner due to which the informant sustained gun shot injury. Further, the injury report of the informant corroborates the prosecution case from it appears that the informant sustained fire arm injury which is grievous in nature.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against this petitioner, this court is not inclined to enlarge the petitioner on



bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same within period of nine months failing which, the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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