

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15479 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- KASHICHAK District- Nawada

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ARUN KUMAR Son of Awadhesh Singh Resident of Daula Chak, P.S.-
Kashichak, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-08-2023 Heard learned counsel for the petitioner, informant and
learned APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code.

3. The allegation against the petitioner along with others
is of firing upon the brother of the informant namely, Tripurari
Singh@ Aklu Singh, due to which he succumbed to injury.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. There is no eye-witness of the alleged
occurrence. Petitioner is languishing in judicial custody since
21.09.2022.

5. Learned APP for the State and learned counsel for the
informant have opposed the application for bail and submitted that



there is specific overt act of firing upon the informant's brother is against the petitioner, due to which he succumbed to injury and the Postmortem report also support the allegation as alleged in the FIR. He further submitted that the other co-accused, who have specific allegation in the present case their prayer for bail have already been rejected by a Co-ordinate Bench vide order dated 28.04.2023 passed in Cr. Misc. No. 59443 of 2022 and its analogous case. During investigation several witnesses have also supported the prosecution case.

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 conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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