

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16454 of 2023**

Arising Out of PS. Case No.-93 Year-2018 Thana- AAYAR District- Bhojpur

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1. Niranjan Kumar Son Of Late Gupteshwari Singh Resident Of Village - Mahathin Tola, P.O.- Baligaon P.S. - Ayar, Distt. - Bhojpur
  2. Bhola Kumar @ Chitranjan Kumar Son Of Late Gupteshwar Singh Resident Of Village - Mahathin Tola, P.O.- Baligaon P.S. - Ayar, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      23-06-2023                      Heard learned counsel for the petitioner and  
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the petitioner and four accused persons is that they killed the informant's husband.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He further submits that a general and omnibus allegation of killing has been made in the FIR and upon minute reading of FIR, it also transpires that the informant is not the eye witness of this case. It is further submitted that the petitioner is languishing in judicial custody since 05.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submits that it is a case under Section 302 of the IPC in which direct allegation is against the petitioner and three others to kill the husband of the informant.

Upon specific query, whether charge has been framed or not, counsel submits that charge has not been framed in this case.

In the present facts and circumstances of this case and the submission made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.



With this observation, the bail application stands  
rejected.

(Sunil Kumar Panwar, J)

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