

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19970 of 2023

Arising Out of PS. Case No.-109 Year-2022 Thana- GOPALPUR District- Bhagalpur

Vikash Kumar @ Vikash Yadav Son Of Late Sagari Yadav Resident Of
Village -Bhawanipur (Tower Chowk) PS Rangra OP(Gopalpur), District
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioner has prayed for bail in connection with
Gopalpur P.S. case No. 109 of 2022 instituted for the offence under
Sections 302/34 of the Indian Penal Code and Section 27 of the Arms
Act.

It is case of opening fire by the petitioner on the
informant's brother namely Manoranjan Kumar due to which he
sustained gun shot injury and shot dead.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely been
implicated in the present case. It is further submitted that the
petitioner is languishing in judicial custody since 18.04.2022.

Learned APP appearing for the state and learned counsel
for the informant have opposed the prayer of regular bail and



submitted that from perusal of prosecution case, there is direct and specific overt act against this petitioner who fired upon the person of the deceased due to which he died. Further, the postmortem report of the deceased corroborates the prosecution case in which doctor opined that the cause of death is shock and hemorrhage due to firearm injury. It is further submitted during investigation the witnesses of this case supported the prosecution case.

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 as soon as possible.

(Sunil Kumar Panwar, J)

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