

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23604 of 2023

Arising Out of PS. Case No.-118 Year-2022 Thana- HALSI District- Lakhisarai

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VIMLESH KUMAR @ VIMLESH KUMAR PANDEY @ VIMLESH
PANDEY SON OF RAM KUMAR PANDEY RESIDENT OF VILLAGE
-PARSAWAN, PS RAMGARH CHOWK, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra
For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 03-10-2023 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 302/120B/34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The allegation against the petitioner along with others
is of firing upon the brother of the informant leading to his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that there is no specific
allegation against the petitioner. There is no eye-witness of the
alleged occurrence. Petitioner is languishing in judicial custody
since 30.06.2022.

5. Learned APP for the State and learned counsel for the



informant have opposed the application for bail and submitted that petitioner is named in the FIR. During investigation, from the perusal of the vide paras- 134 and 137 of the case diary, it appears that two independent witnesses have supported the prosecution case in respect of the direct complicity of the petitioner in the alleged offence. He further submitted that the postmortem report corroborates the prosecution 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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