

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21824 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- BHAGWANGANJ District- Patna

DEEPU KUMAR Son of Ganga Vishun Rai R/o Village - Bhagwanpur, P.S.-
Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Pandit

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 18-01-2023 Heard the learned counsel for the petitioner and the learned APP for the State as also the learned counsel appearing for the informant.

The petitioner seeks regular bail in connection with Bhagwanganj P.S. Case No. 79 of 2021, registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is that while the husband of the informant was returning to his home from the market, some unidentified persons had fired on him resulting in him sustaining injury on the chest, whereafter he died.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 16.8.2021. The learned counsel for the petitioner has further submitted that there is no eye-witness to the alleged occurrence, hence, the petitioner should be granted bail.

Per contra, the learned APP for the State as also the learned counsel for the informant have vehemently opposed the prayer for bail and have submitted that there are enough materials in the case dairy to corroborate the complicity of the petitioner in the alleged crime, apart from the fact that the weapon used for killing the husband of the informant has been recovered from the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available



on record as also considering the materials available in the case diary, this Court finds that the complicity of the petitioner in the alleged occurrence is writ large from the records and moreover, the weapon, used in the crime, has also been recovered from the petitioner, hence, I do not find any merit in the present petition, thus, the same stands dismissed.

(Mohit Kumar Shah, J)

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