

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21948 of 2022

Arising Out of PS. Case No.-159 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

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ALOK KUMAR @ ALOK KUMAR YADAV S/o Mahngu Singh R/o Village
Sakri, Ward No. 10, P.S. Kudra, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 12-01-2023 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Kudra
P.S. Case No.159 of 2021 registered for the offences punishable
under Sections 302 and 34 of the IPC and section 27 of the
Arms Act.

As per prosecution case, there is allegation against
the petitioner to open fire upon the informant's son as a result of
which he died during the course of treatment.

Learned counsel for the petitioner submits that
petitioner is in custody since 20.06.2021 and bears criminal
antecedent of one case. He further submits that petitioner has



not any intention to kill the informant's son. He further submits that petitioner is quite innocent and falsely implicated in the case on the instance of his enemy.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submit that there is direct allegation against the petitioner who fired upon the informant's son and he died on account of said injury as supported by postmortem report also. They further submits that an eye witness Raj Kamal singh who is the eye witness of the alleged occurrence has also supported the prosecution story in toto.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to expedite the trial as early as possible.

(Alok Kumar Pandey, J)

vashudha/-

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