

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30491 of 2023

Arising Out of PS. Case No.-662 Year-2022 Thana- KANTI District- Muzaffarpur

PRINCE KUMAR SON OF DR UDAY PRASAD @ UDAY KUMAR
VILLAGE KANTI KOTHIA, PS -KANTI, DIST MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 22-08-2023

Heard the parties.

The petitioner is an accused in connection with Kanti P.S. Case No. 662 of 2022 registered for the offences under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 02.10.2022 by the informant, Manjay Prasad.

As per the prosecution story, the allegation is that younger brother after taking meal had gone to NTPC pump house and when he reached there, four persons out of whom he could identify some namely, Sachin Kumar and Prince Kumar (petitioner) opened fire. He raised ‘hulla’, the persons present nearby reached there, took his brother to Maa Janki Hospital, Bairiya, shifted to Patna, brought to Paras Hospital where he was declared dead. Accordingly, the FIR.



Earlier, a case diary was called for by co-ordinate bench on 13.06.2023, which has since been received.

It has been pointed out by the learned APP that in paragraph 31, the witness Rajendra Ram has narrated that for some time, the deceased had gained consciousness in which specifically he had named Prince Kumar as also Sachin Kumar to be the persons who opened fire on him.

Considering the kind of allegation that has come against the petitioner, no relief can be granted to him, which is accordingly rejected.

(Rajiv Roy, J)

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