

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28448 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- PALIGANJ District- Patna

Om Prakash Kumar @ Om Prakash Son Of Akhilesh Kumar Resident Of
Village - Thakuri, P.S. - Paliganj, Distt. - Patna.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-06-2023 Let the defect(s), if any, be removed within two
weeks from today.

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

The petitioner seeks regular bail in connection with
Paliganj P.S. Case No. 405 of 2022 registered on 13.09.2022
lodged under Sections 341, 323, 307, 34 of the I.P.C. and 27 of
the Arms Act.

As per the prosecution case, the F.I.R. has been
lodged against seven named and 3-4 unknown persons that all
those accused persons surrounded the informant's father, who
was going to Court and fired on him, due to which he was
brutally injured.

Learned counsel for the petitioner submits that there is

a Title suit pending between the informant and the petitioner's family. Counsel further submits that from the addresses it transpires that both the parties are from the same village and they are basically agnates, among which Title suit is pending, about which it has been mentioned in the F.I.R. itself.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 04.12.2022 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that in the rejection order it has come that it is the petitioner who had identified the victim, thereafter, firing took place.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

With this observation, the bail application stands rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail, after framing of charge.

Trial Court is directed to release the petitioner on bail

afterthat, imposing its own conditions, so that he may not evade
his appearance during trial.

(Dr. Anshuman, J.)

Ashishsingh/-

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