

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28183 of 2022

Arising Out of PS. Case No.-6 Year-2021 Thana- PARBATTa District- Khagaria

RAKESH KUMAR, Son of Sitaram Mandal, Resident of village - Temtha,
Lenin Nagar, P.S. - Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Advocate
		Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the informant states that the petitioner shot his father with a pistol as a result of which he died.

It is submitted by learned counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. The petitioner and the informant are related to each other and the false implication is because of admitted dispute between the parties. No independent witness



has supported the prosecution case in course of investigation. The petitioner is in custody since 2.2.2021 and undertakes to cooperate in the trial. Charge-sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P for the State who submits that the petitioner is the assailant of the deceased and trial has commenced in the learned court below.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R where the petitioner is described as the sole assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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