

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32046 of 2023

Arising Out of PS. Case No.-52 Year-2017 Thana- BRAHMPUR District- Buxar

RAJU KUMAR @ RAJU KUMAR SINGH @ RAJU YADAV @ RAJU
SINGH YADAV son Shiv Mangal Yadav Village- Rahathua Ps- Brahmpur
Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manindra Kishore Singh
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. The allegation against the petitioner along with others
is of firing upon the father of the informant leading to his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the allegation against the
petitioner is that he shot fired upon the deceased, who sustained
injury on his hip but the other co-accused Raman Singh shot fired
on the deceased's chest due to which he died. He further submitted
that the petitioner has not sent up for trial and after finding the



prima facie case cognizance has been taken against him. Petitioner himself surrendered on 04.01.2023 in the learned Court below and since then he is languishing in judicial custody.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that there is specific overt act of firing upon the informant's father is against the petitioner, due to which he sustained injury and succumbed to injury. They submitted that the Postmortem report has also supported the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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