

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33561 of 2023

Arising Out of PS. Case No.-200 Year-2022 Thana- SHANKARPUR District- Madhepura

Domini Kumar @ Avinash Kumar @ Abhishek Kumar Son of Kamal Kishore
Yadav Resident of Village Nolakhiya Ward No. 2, PS. Madhepura, district-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Kanhaiya Kishore (App. 100)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they committed murder of the informant's daughter due to family dispute and the petitioner is alleged to be husband of the deceased.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The informant is not an eye witness of the alleged occurrence and merely on the basis of suspicion the petitioner has falsely been



implicated in this case. It is further submitted that the petitioner is languishing in judicial custody since 25.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is direct allegation of opening fire levelled against the petitioner and during investigation witnesses also supported the prosecution version. As per Postmortem Report, which is annexed with Case Diary, wherein doctor opined cause of death due to haemorrhage and shock caused by gunshot injury.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of opening fire upon the deceased, resulting into her death, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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