

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34467 of 2022

Arising Out of PS. Case No.-601 Year-2021 Thana- NAWADA District- Nawada

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RAUSHAN KUMAR @ CHIRKUT S/o Sudhir Kumar @ Sudhir Singh
Resident of Village- Gonawan, P.S.- Nawada in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

4 14-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Nawada
(Town) P.S. Case No. 601 of 2021, registered for the
offences punishable under Section 302 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case as emerging from the FIR is
that on 05.06.2021, when the informant and his brother-in-



law were going to the farm-house of one Abhishek Kumar, they saw the petitioner going on a motorcycle, to whom the informant had given Rs. 80,000/-. The informant, thereafter, intercepted the motorcycle of the petitioner and demanded the aforesaid amount. On this, the accused petitioner took out the pistol from his waist and shot fire at him which hit the neck of the brother-in-law of the informant, due to which he died.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further refers to the protest petition filed by the informant before the Ld. C.J.M., Nawada, as per which he has given a different version of the occurrence. He further submits that some unknown persons demanded *Rangdari* and on protest the victim was shot dead. Investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 13.01.2022.

It has also been stated in paragraph no. 3 of the



bail petition that the petitioner has earlier been made accused in four other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that as per the material on record, it is full-proof case against the petitioner. He further submits that the content of the statement in the protest petition is totally false and it suggests that the informant has gone in connivance with the accused and he has filed this petition to help the accused.

Considering the aforesaid facts and circumstances, particularly the material on record, I am not persuaded to enlarge the petitioner on bail at this stage.

This application stands rejected accordingly.

However, Ld. Trial Court is directed to expedite the trial. In case, the trial is not concluded within a period of one year, the petitioner is at liberty to renew his prayer for bail.



Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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