

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36082 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- DARAUNDA District- Siwan

RAHUL SINGH Son of Vijendra Singh Resident of village - Rukundipur,
P.S .- Daraunda, Distt. - Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 03.11.2022 seeks
bail, in connection with S. Tr. No.773/2022, arising out of
Daraunda P.S. Case No.224/2022, dated 22.08.2022, for the
offences punishable under Sections 302, 120(B)/32 of the IPC &
Section 27 of the Arms Act.

3. According to prosecution case, four unknown
persons on two motorcycles having covered their faces overtook
the Alto car boarded by the informant's brother and pulled down
the informant's brother from the car and shoot him and fled
away.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He



further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused namely, Suraj Prasad.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the co-accused, namely, Suraj Kumar has specifically stated that the petitioner has fired upon the victim and the postmortem report of the deceased also supports the statement of the co-accused. Apart from that the petitioner has carried nine criminal antecedent other than the present one and almost all the cases are serious in nature.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with S.Tr. No.773/2022, arising out of Daraunda P.S. Case No. 224/2022, pending in the Court of learned 2nd Additional Sessions Judge, Siwan.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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