

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35772 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- KIUL District- Lakhisarai

RAVI KUMAR Son of Suresh Yadav Resident of Village- Lakhochak, PS-
Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mrs. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Monaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-08-2023 Heard Mrs. Yogesh Chandra Verma, Sr. Advocate

learned counsel for the petitioner, Mr. Manoj Kumar, learned
counsel for the informant, Mr. Bharat Bhushan learned APP who
represent the State.

The petitioner is in judicial custody in connection
with Kiul P.S. Case No. 47 of 2022 registered under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms
Act lodged on 24.03.2022 by the informant, Avinash Kumar.

As per the prosecution story, the informant has
alleged that earlier Chhotu Kumar, Ravi Kumar, Dheeraj
Kumar, Karu Kumar and Jitendra Kumar used to disturb his
cousin sister for which Mahila P.S. Case No. 30/2021 was



registered and Chhotu Kumar was taken into custody and the accused persons were regularly pressurizing for compromising the case.

On the fateful day, it has been alleged that under pre-planned manner, co-accuseds, namely, Karu Kumar, DilKhush Kumar and Ravi Kumar opened fire while two other unknown persons assaulted his father. Subsequently, the informant, who was hiding went to the place after the accused left the area and found him dead.

Learned Senior Counsel submits that from the FIR, it is clear that the informant is not an eye witness rather he created a story and since in the post-mortem, three bullet injuries have been found, one each bullet injury has been assigned to three accused persons implicating them in the case, petitioner being one of them.

Learned counsel for the informant has provided the copy of the co-ordinate Bench of Cr. Misc. No. 51138 of 2022 relating to Karu Kumar @ Karu Yadav, one of the similar placed co-accused in which it rejected his bail application.

In view of the fact that the case of the petitioner is similar to that of Karu Kumar @ Karu Yadav, this Court also has to take the same view and reject the bail application.



Accordingly, the bail application stands rejected.

The trial Court is directed to expedite the trial in view of the fact that one of the witness has been examined and take the same to its logical conclusion at an earliest.

(Rajiv Roy, J)

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