

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37562 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- BIRAUL District- Darbhanga

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ABHISHEKH RAJ @ ABHISHEK RAJ Son of Bihari Lal Deo Resident of
village- Lagapur, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 302, 201 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

Prosecution case relates to commission of murder of
informant's son by the accused persons including the petitioner.
It is further alleged that petitioner provided information to
mother of deceased about his death from the mobile of
deceased.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. No
specific allegation is attributed against the petitioner. Specific
allegation of firing shot is against co-accused Manjay Yadav.



Petitioner is languishing in judicial custody since 01.03.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that during investigation several witnesses in para no. 110, 111, 112 and 113 of the case diary have supported the prosecution story. They submitted that accused Manjay Yadav and this petitioner were going somewhere by the motorcycle with Sandeep Kr. Yadav (deceased), who was sitting in between. It is a clear case of last seen and there is consistent circumstantial evidence against this petitioner. Post-mortem report also shows that cause of death due to fire arm injury.

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.

The trial court is directed to expedite and conclude the trial as early as possible.

(Sunil Kumar Panwar, J)

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