

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36410 of 2022**

Arising Out of PS. Case No.-109 Year-2022 Thana- KHAJEKALA District- Patna

Rajesh Kumar @ Rakesh Kumar Son Of Late Mohan Lal Resident Of  
Mohalla- Padri Ki Haweli, Bijli Office Gali, P.S.- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 39005 of 2022**

Arising Out of PS. Case No.-109 Year-2022 Thana- KHAJEKALA District- Patna

1. Arjun Kumar Son Of Rajesh Kumar Resident Of Village - Padri Ki Haweli,  
Band Gali, P.S.- Khajekala, Distt.- Patna.
2. Badal Kumar Son Of Rajesh Kumar Resident Of Village - Padri Ki Haweli,  
Band Gali, P.S.- Khajekala, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 36410 of 2022)

For the Petitioner/s : Mr.Raj Krishan Jha

For the Opposite Party/s : Mr.Gulnar Begum

(In CRIMINAL MISCELLANEOUS No. 39005 of 2022)

For the Petitioner/s : Mr.Raj Krishan Jha

For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      23-02-2023                      Heard learned counsel for the petitioners and learned  
APP for the State and learned counsel for the informant.

The petitioners have prayed for bail in connection  
with Khajekalan P.S. Case No. 109 of 2022 instituted for the  
offence under Sections 302, 120(B) and 34 of the Indian Penal



Code and Section 27 of the Arms Act.

Allegation against the petitioners along with other co-accused persons is that they fired the bullet upon the informant's son, namely, Raman Kumar Sahani@ Aman Kumar with intention to kill him and consequently he succumbed to injury.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this present case. They have not committed any offence. Nothing has been recovered from the conscious possession of the petitioners. They are languishing in judicial custody since 14.04.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that all the petitioners are named in F.I.R. the specific overt act of making shot fire is against these petitioners, due to which the deceased shot dead and postmortem reports also shows that three entry wounds of firearm bullet found on the body of the deceased and the cause of death was due to shock and hemorrhage as a result of above mentioned injuries caused by firearm weapon. During investigation, witnesses supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to



enlarge the petitioners on bail and, as such, their prayer for bail stands rejected.

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

**(Sunil Kumar Panwar, J)**

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