

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40143 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- PATORI District- Samastipur

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Ram Darshan Ray @ Kanhaiya Son Of Late Shyam Sundar Ray R/O Village-
Tajpur (HADAI), P.S.- Patori, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP
For the Informant	:	Mr. Ashok Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2023 Heard learned counsel for the petitioner, learned counsel
for the Informant, learned APP for the State and perused the case
diary.

The petitioner is in custody in a case registered for the
offence punishable under Sections 341, 323, 302, 504 and 506/34 of
the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, it is a case of shot fire upon the husband of the
informant, namely, Shambhu Prasad (deceased) by the petitioner and
other accused persons due to which he died.

Learned counsel for the petitioner submits that petitioner
has falsely been implicated in this case. He further submits that the
informant is claiming herself to be an eye witness and made specific
allegation against the petitioner to be the main assailant but during
the course of investigation, one Manish Kumar @ Meghnath was



arrested in connection with Patori P.S. Case No. 48 of 2022 and made his confessional statement before the police that he fired on the deceased by his pistol, due to which the deceased died. Petitioner is in judicial custody since 10.02.2022.

Learned APP appearing for the State as well as the Informant have opposed the prayer for regular bail and submitted that there is direct allegation of shot fire upon the deceased due to which he received gun shot injury. During investigation, witnesses have supported the prosecution case. The Postmortem report also supported the case of the prosecution and the doctor opined the cause of death is due to haemorrhage and shock and injury caused by fire-arm. According to the postmortem report, one bullet was recovered from the brain of the deceased.

After considering the aforesaid facts and circumstances of the case, I am not inclined to grant regular bail to the petitioner.

Prayer for regular bail of the petitioner is rejected.

However, the trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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