

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43104 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- WARISNAGAR District- Samastipur

RUPAK KUMAR ALIAS LUKKA Son of Ram Bachan Rai Resident of
Village - Sari Chowk mannipur, P.s.- Warisnagar (Mathurapur OP), Distt.-
Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44033 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- WARISNAGAR District- Samastipur

CHUNNU PODDAR SON OF LATE RAMASHISH PODDAR RESIDENT
OF WARD NO 06, VILLAGE- AKBARPUR, MATHURAPUR, O.P. AND
P.S.- WARIS NAGAR DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44542 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- WARISNAGAR District- Samastipur

SHAH ALAM SON OF MD. AKHTAR R/O VILLAGE- AKBARPUR
(NEAR BANDH), P.S.- WARISNAGAR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 43104 of 2022)

For the Petitioner/s : Mr.Sujit Kumar Singh

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

(In CRIMINAL MISCELLANEOUS No. 44033 of 2022)

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Arun Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 44542 of 2022)

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Anita Kumari



CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 04-04-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The instant application for regular bail has been filed by the petitioners in a case registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is a case of opening fire by the accused persons due to which the informant's son, namely, Sachin Kumar shot dead.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. From perusal of the FIR, there is no complicity or specific overt act against the petitioners. Except last seen, nothing is against the petitioners. Petitioners are languishing in judicial custody since 7.4.2022.

Learned counsel for the informant and learned APP appearing for the State have opposed the prayer of bail and submitted that petitioner is named in the FIR. During investigation, informant in his reinstatement has stated that deceased has disclosed that petitioners have opened fire upon him. From perusal of the postmortem report, four gun-shot injuries were found on the body of deceased. In postmortem report, doctor opined cause of death due to fire arm injuries.



Having heard learned counsel for the parties and considering the gravity of the offence, I am not inclined to grant bail to the petitioners and, as such, their application for bail is rejected.

The trial court is directed to expedite and conclude the trial within the stipulated time as mentioned in progress report.

(Sunil Kumar Panwar, J)

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