

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44507 of 2022

Arising Out of PS. Case No.-82 Year-2019 Thana- KUDHNI District- Muzaffarpur

RAHUL KUMAR S/o Ram Karan Sah R/o village- Tarsan, P.S.- Kudhani,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 01-02-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kudhani
(Turki O.P.) P.S. Case 82/2019, registered for the offence
punishable under Sections 302, 120B/34 of the Indian Penal
Code and 27 of the Arms Act.

As per prosecution case, there is allegation against
the petitioner and others to have fired upon the informant's
brother under conspiracy as a result of which he died.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The FIR has been lodged after two days of the alleged



occurrence. The petitioner is languishing in custody since 02.03.2022 and bears criminal antecedent of three cases in all cases he is on bail.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner to have fired upon the victim and postmortem report also supports the prosecution story.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with the postmortem report and material available on record, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, if trial is not concluded within nine months from the date of receipt / production of copy of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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