

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44112 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- SARAI District- Vaishali

Karu Jha @ Rajiv Kumar Ranjan Son Of Vanshidhar Jha @ Devnath Jha R/O
Village- Vishunpur Madhopur, P.S.- Sarai In The District- Of Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-03-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 302, 307, 34 of the Indian Penal Code

and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that on

05.12.2021, the informant and his son were at tea stall.

In the meantime, one Munna Kumar informed on mobile

that his inverter is at the house of this petitioner.

Thereafter, the son of the informant and his nephew

Vikky Kumar went there to fetch the inverter but the son



of the informant and his nephew were badly assaulted by the accused persons and they also received gunshot injuries. The informant further alleged that his son has stated that this petitioner opened fire and co-accused Munna Kumar and Kundan Kumar have assaulted him. The injured were thereafter taken to the hospital where during treatment, the nephew of the informed succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The informant is not the eye witness to the occurrence nor he was present at the place of occurrence. The petitioner resides outside State in Mumbai and he was arrested from the Mumbai. The petitioner has no concern with the alleged crime. The petitioner is languishing in custody since 24.01.2022.

Learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of



the petitioner and submitted that the injured Vikram @ Bunti in his statement recorded in para 40 of the case diary has specifically alleged against this petitioner that he opened fire by pistol to the deceased. The independent witnesses during investigation have also supported the case of the prosecution. The postmortem report also corroborates the case of the prosecution.

Considering the fact that there is specific accusation against the petitioner to have shot fire at the deceased resulting into his death during the course of treatment, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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