

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45607 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- GORAUL District- Vaishali

Prabhat Kumar Singh @ Prabhat Kumar Son Of Awadh Kishore Singh
Resident of Village Vyaschak, Ps- Goraul, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.07.2022 in connection with Goraul P.S. Case No. 259 of 2022, F.I.R. dated 29.06.2022 for the offences punishable under Sections 302, 120B, 506/34 of the Indian Penal Code along with Section 27 of the Arms Act.

3. According to prosecution case, the son of the informant was said to have been shot dead by the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that allegation as alleged in the F.I.R., petitioner and other co-accused person, namely, Subhash Kumar Singh have fired bullet indiscriminately on the son of the



informant and he died on the spot.

5. Learned counsel for the petitioner submits that the informant is not the eye witness of the alleged occurrence and petitioner is made accused merely on the basis of suspicion in the present case.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he had fired upon the son of the informant and medical evidence also support the allegation as alleged in the F.I.R. He further submits that the petitioner carries five criminal antecedent other than the present one.

7. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection Goraul P.S. Case No. 259 of 2022 pending in the court of learned Additional Chief Judicial Magistrate – Ist, Vaishali at Hajipur.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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