

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2591 of 2023

Arising Out of PS. Case No.-99 Year-2021 Thana- BHAGWANGANJ District- Patna

GUNJAN KUMAR @ SONU RAJ S/o Vinay Singh @ Bhola Singh @ Vinay
Kumar R/o Village- Bara, P.S.- Bhagwanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted for the offence under Sections 302, 323, 120(B), 147, 148, 149/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, nine accused persons including the petitioner, on order of accused Ravindra Singh, petitioner sat on back of the informant's brother and fired at his head and all accused persons fled away.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to political rivalry. Informant is not the eye witness of the occurrence. Deceased has received three fire arm injuries as per post-mortem report and it is improbable that in course of



indiscriminate firing, any one can dare to sit on the back of the victim and fired on his person. Petitioner is languishing in judicial custody since 8.10.2021.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that there is direct allegation of firing shot against the petitioner. Para 106 of the case diary is self confessional statement of the petitioner in which he has confessed that he has committed murder of the deceased and at his instance, arms were recovered which was used in the crime. Post-mortem report corroborates the prosecution story. During investigation, several witnesses have supported the prosecution story.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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