

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52321 of 2023

Arising Out of PS. Case No.-249 Year-2023 Thana- DAUDNAGAR District- Aurangabad

HARE KRISHNA KUMAR @ DHIBARI Son of Sri Satya Narayan Pandey
Resident of Village-Shamsher Nagar, P.S.-Daudnagar, District-Aurangabad
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shweta Anand

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-10-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Daudnagar P.S. Case No. 249 of 2023 instituted for the
offence under Sections 1477, 148, 149, 341, 323, 325, 326, 307,
302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, the petitioner along
with other co-accused persons are alleged to have assaulted and
opened fire upon the informant as well as his son due to which
both of them sustained gunshot injuries. Thereafter, they were
brought to hospital where doctor declared the son of the
informant as dead. The alleged occurrence is said to have been
occurred due to earlier dispute between the parties.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case. There is case and counter case between the parties. During course of the investigation, some of the witnesses have not supported the prosecution allegation. The petitioner has got no criminal antecedent as stated in para-3 of the bail petitioner and languishing in judicial custody since 24.5.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who along with co-accused Nanhaku Pandey has specifically been alleged to commit murder of the informant's son namely, Manoranjan by means of firearms. The postmortem report supports the prosecution allegation and shows three entry wound on the body of deceased. The Doctor opined cause of death is due to Haemorrhage & shock as a result of injuries caused by firearms. It is further submitted that one pistol along with some live & empty cartridges were recovered at the place of occurrence. Moreover, witnesses of the case have supported the version of the prosecution.

6. Having heard the learned counsel for the parties and considering the direct allegation against the petitioner, 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 the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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