

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51235 of 2022

Arising Out of PS. Case No.-652 Year-2021 Thana- TEKARI District- Gaya

SANJEEV KUMAR S/o Girjesh Sharma R/o village- Pura, P.S.- Tekari,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Adv.

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 03-02-2023 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 through virtual court proceeding.

The petitioner seeks bail in connection with Tekari
P.S. Case No. 652 of 2021 registered for the offences punishable
under Sections 302, 307, 120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

As per prosecution case, there is allegation that
petitioner fired upon the informant's daughter-in-law as a result of
which she died.

Learned counsel for the petitioner submits that the
FIR has been lodged on 09.12.2021 and the same has been sent to
concerned magistrate on 13.12.2021. The petitioner was



apprehended from the hospital where he was getting treatment. He further submits that the very genesis of the case is doubtful as he himself was injured and he was getting treatment in hospital. Petitioner is in custody since 14.12.2021 and bears one criminal antecedent in which he is on bail.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner by submitting that there is direct allegation of firing against the petitioner and the death is caused by fire arm injury and the same is corroborated by the postmortem report of deceased.

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

However, the learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Alok Kumar Pandey, J)

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