

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52792 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- ARA NAGAR District- Bhojpur

Bira Ram @ Bira Kumar Son Of Sudama Ram Village- Ambedkar Colony Ps-
Ara Nagar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Ara Nagar P.S. Case No. 158 of 2022 instituted for the offence
under Sections 302, 120(b) and 34 of the Indian Penal Code.

As per allegation in the FIR, petitioner fired upon the
brother of the informant due to which he sustained gun shot
injury and later on he died in hospital and the reason for the as
alleged occurrence is said to be previous enmity between the
parties.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case
due to previous enmity. A statement has been made in para-3 of
this petition that the petitioner has got no criminal antecedent.



Moreover, he is languishing in judicial custody since 03.03.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and there is specific overt act of firing upon the deceased is against the petitioner. During investigation, witness supported the prosecution case and as postmortem report also corroborated the prosecution version as the doctor opined that the cause of death of the deceased is due to gun shot injury.

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.

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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