

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55633 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- UDAKISHUNGANJ District- Madhepura

Suman Kumar @ Suman Mehta Son Of Vilash Mehta R/O Yogiraj, Ward
No.09, P.S.- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120 of the Indian Penal
Code and Section 27 of the Arms Act.

According to prosecution case, the informant namely,
Jai Prakash Chaudhary stating therein that on 24.01.2022 at
12.23 P.M. the informant got telephonic information that Lal
Kumar Yadav was shot dead by unknown criminals. It is further
alleged that the informant went at the place of occurrence and in
the meantime injured Lal Kumar Yadav was sent to Primary
Health Centre, Udakishunganj by nearby people then he referred
to Bhagalpur for better treatment but he injured died on the way.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the informant is not the eye witness of the alleged occurrence and only on the basis of suspicion the name of the petitioner has falsely been implicated in the present case.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the basis of material available on the record and case diary submits that the petitioner and other co-accused persons have confessed that they are involved in the crime in question and the petitioner is also involved in the two other cases other than the present one. He further submits that it has come during investigation that the petitioner has actively participated in the present crime.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Udakishunganj P.S. Case No. 19 of 2022 pending in the court of learned Additional Chief Judicial Magistrate, Udakishunganj, Madhepura.

Prayer is refused.

(Rajesh Kumar Verma, J)

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