

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60165 of 2023**

Arising Out of PS. Case No.-304 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

PAPPU KUSHWAHA S/O VIJAY KUSHWAHA @ VIJAY KUMAR
KUSHWAHA R/O VILLAGE- NIRANJANA, P.S- YADOPUR, DISTT.-
GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adesh Raj

For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 307, 326, 353/34 of the
Indian Penal Code and Sections 25(-b)a, 26, 27 and 35 of the
Arms Act.

3. The allegation against the petitioner along with
another is of indiscriminating firing due to which one passerby
namely, Ajay Yadav sustained injury on his back.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
On the basis of suspicion and due to his criminal antecedents,



the petitioner has been made accused in this case. He is languishing in judicial custody since 20.01.2021.

5. Learned APP for the State has opposed the application for bail and submitted that petitioner is named in the FIR and he has been made accused in several cases. He further submitted that there is specific overt act of firing against the petitioner. During investigation several witnesses have also supported the prosecution case.

6. From the perusal of the trial Court report dt. 16.10.2023, it appears that the trial is likely to be concluded in six months.

7. 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.

8. The trial Court is directed to conclude the trial within its stipulated time, which is mentioned in its report.

(Sunil Kumar Panwar, J)

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