

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62323 of 2022

Arising Out of PS. Case No.-323 Year-2022 Thana- MAHUA District- Vaishali

Rahul Kumar S/O Sanjay Singh R/O Village- Vishunpur Bande (Bande), P.S.-
Bhagwanpur, Distt- Vaishali.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-02-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mahua P.S. Case No. 323 of 2022 lodged under Sections 302,
120(B), 34 of the I.P.C. and Section 27 of the Arms Act.

As per the prosecution case, there is an allegation that
the petitioner made gunshot on the body of the deceased, due to
which she died.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 18.05.2022 having
clean antecedent. He submits that both the deceased and

informant's grand-daughter were in the same coaching and they were good friends. Counsel submits that the petitioner is a student and by virtue of this case, his entire carrier may be ruined. He submits that there may be a situation that any unknown person might have killed the deceased but petitioner's name has been given in this case under a conspiracy.

Learned counsel for the State opposes the prayer for bail and submits that there is a direct allegation against the petitioner and suspicion can not be a substitute of the direct allegation.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

With this observation, the bail application stands rejected.

Trial court is directed to expedite the trial within nine months.

(Dr. Anshuman, J.)

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