

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69658 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- MURLIGANJ District- Madhepura

SANJAY KUMAR @ SANJEEV KUMAR Son of Anil Yadav Resident at
Vill.- Raghunathpur, Ward No.- 08, P.S.- Murliganj, District - Madhepura,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 27-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The allegation against the petitioner is of firing upon the
father of the informant, due to which he succumbed to injury. It is
further alleged that a few days earlier the informant's father had
helped Excise Department to be made the Excise case against the
petitioner.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that there is no eye-witness of
the alleged occurrence to show that the petitioner has involved in



the said crime. Only on the statement of the deceased during treatment, he stated the name of the petitioner and other accused persons. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Petitioner is languishing in judicial custody since 26.07.2022.

Learned APP for the State has opposed the application for bail and submitted that when the treatment of the deceased was going on, he taken the name of the petitioner. Petitioner is named in the FIR. As per Postmortem report, the death was caused by fire-arm injury, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

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 conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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