

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72711 of 2022

Arising Out of PS. Case No.-137 Year-2020 Thana- KONCH District- Gaya

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BIMLESH KUMAR S/o Sri Ram Balak Yadav R/v- Sinduari, P.S.- Konch,
District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Ranjan Sinha, Adv.

For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Konch
P.S. Case No. 137 of 2020 dated 06.05.2020 registered for the
offence under Sections 147, 148, 149, 341, 307, 326, 302,
504 and 506 of the Indian Penal Code and Sections 27 and
35 of the Arms Act.

The petitioner is alleged to have fired with his
hand rifle upon Grijesh Sharma Kaushik which hit him in his
stomach and he died during course of treatment.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He



further submits that the allegation, as alleged in the F.I.R, is false and fabricated. He further submits that the petitioner was not present at the place of occurrence. He further submits that the petitioner has made accused in this only on the basis of political rivalry as her wife happens to be Zila Parishad. The petitioner is rotting in judicial custody since 19.06.2022.

Learned A.P.P. for the State on the other hand vehemently opposed the prayer for bail of the petitioner on the basis of material available on record and the case diary and submits that it is apparent from the F.I.R. itself that the petitioner opened fire upon the deceased from this hand rifle which hit him in his stomach and died during course of treatment. He further submits that the allegation as alleged in the F.I.R. against the petitioner is fully corroborated with the postmortem report in which the doctor has clearly opined that the cause of death of the deceased is firearm injury. He furthers submits that the police while submitted charge-sheet in this case declared the petitioner absconder and he has been apprehended in this case on 19.06.2022 whereas the occurrence is of 06.05.2020.

Considering the facts and circumstances of the case



and the direct allegation of firing against the petitioner, this Court does not deem it fit and proper to release the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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