

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71522 of 2022

Arising Out of PS. Case No.-114 Year-2022 Thana- SIMRI District- Buxar

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ROHIT KUMAR PANDEY S/O Raju Pandey R/O Village- Nagarpura, P.S-
Simri, Distirct- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-04-2023 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 Section 302/34 of the Indian Penal Code
and Section 27 of the Arms Act.

As per allegation in the FIR, petitioner shot fire upon
informant's son in his left panjari and on hue and cry made by
the informant, police came and informant's son was sent for
medical treatment by the help of police jeep at Primary Health
Center, Simri from where he has been referred to PMCH, Patna
for better treatment but in the way to hospital, informant's son
was died.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



not committed any offence. He has no criminal antecedent. Petitioner is languishing in judicial custody since 23.03.2022.

The application for bail is opposed by learned APP for the State and submitted that there is direct allegation against the petitioner to shot fire on deceased. During investigation, several witnesses have supported the prosecution story and charge-sheet has been submitted u/s 302/34 IPC and Sec. 27 of the Arms Act. Postmortem report is also corroborated by the prosecution story. A metallic bullet has been recovered from the body of the deceased.

Having heard the learned counsel for the parties and considering the nature of offence as heinous, 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 expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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