

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16379 of 2024

Arising Out of PS. Case No.-200 Year-2023 Thana- MURLIGANJ District- Madhepura

Nishtu Kumar @ Boua Yadav son of Anil Yadav @ Anil Kumar Village-
Pokhram W.No-3, Ps- Murliganj Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Amarnath Jha
For the Opposite Party/s :	Mr. Awadhesh Kumar Pandey, Adv.
	Mr. Ravi Bhushan, Adv.
For the State :	Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-07-2024 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 341, 342, 386, 302,

120(B), 504, 506 of the Indian Penal Code and Section

27 of Arms Act.

Prosecution case in nutshell is that while the

informant along with her husband and others was going

to Murliganj, in the meantime, petitioner along with

other persons surrounded them and co-accused Anil



yadav asked the informant's husband that why he has not fulfilled the demand of ransom. It is further alleged that on the order of co-accused Sunil Verma, coaccused Anil Yadav fired upon him which hit at his chest. It is further alleged that petitioner fired upon informant's husband which hit his chest near arm. Co-accused Nitish Kumar also fired upon him which hit his temporal region. It is further alleged that co-accused Sharwan Kumar and Vijay Kumar also fired upon his body. Due to this informant's husband succumbed to fire arm injuries.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. From perusal of the postmortem report, it appears that there are two entry wounds but according to prosecution case, five persons have opened fire upon the informant's husband. Moreover, petitioner is languishing in judicial custody since 09.06.2023.

Learned APP appearing on behalf of the State



and learned counsel for the informant vehemently opposed the prayer of the petitioner and submitted that there is specific allegation against the petitioner along with other persons of opening fire upon the informant's husband due to which he succumbed to fire arm injuries. Postmortem report also corroborates with the prosecution version of the case. Several witnesses have supported the prosecution case. Petitioner have criminal antecedents in three cases similar to this offence.

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.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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