

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14722 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- DALSINGHSARAI District- Samastipur

SUBODH KUMAR S/O LATE BAHADUR MAHTO R/O VILLAGE-
MOKHTIYARPUR SALKHANNI, P.S- DALSINGHSARAI, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dhalsinghsarai P.S. Case No. 345 of 2023 registered on
25.08.2023 lodged under Sections 302 of the I.P.C. and Section
27 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against the present petitioner against whom there is an
allegation that he has killed the informant's son by the gun shot.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 03.11.2023 having no criminal case pending
against him. He further submits that this gun shot has been fired



accidentally due to which the friend of the petitioner has died. On earlier occasion case diary has been called for and upon perusal of the case-diary, it transpires that the petitioner was showing his pistol to the deceased and by the time gun shot has been fired accidentally which resulted into the death of the deceased. Chargesheet has been filed in this case. Charge has not been framed yet but case has committed to Session.

5. Learned counsel for the State opposes the prayer for bail and submits that the deceased has died by the gun shot fire made by the petitioner.

6. Upon specific query made by this Court that the gun which the petitioner has holding was having valid licenses or not, counsel for the petitioner submits that he is not in a position to assist this Court on this point.

7. In the present facts and circumstances of this case, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner stands rejected.

(Dr. Anshuman, J)

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