

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23053 of 2024

Arising Out of PS. Case No.-492 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ankesh Kumar S/o Chandradev Yadav R/o Saakin, Kailashpur, ward no. 4,
P.s. - Muffasil Sighaul, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Ranjan, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

Ms. Perna Anand, Advocate

Mr. Rahul Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 10-05-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case no.492 of 2023 registered under sections 302, 307 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated that over a trivial dispute, on the orders of Chandradev Yadav, his wife got three pistols and handed it over to their sons which included the petitioner herein. As a result of indiscriminate firing by the accused persons including the petitioner herein, it is stated that two persons were injured and one person died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The manner of



occurrence is other than what has been narrated in the FIR. The informant is not an eye witness to the occurrence. It is submitted that there is no explanation whatsoever for the delay of two days in lodging of the FIR. Further though the inquest report has been signed by the informant, however he does not narrate the manner of occurrence there also. The petitioner is in custody since 26.8.2023 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR wherein he along with others are said to have resorted to indiscriminate firing resulting in two persons sustaining gunshot injuries and one person having died in the occurrence, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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