

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34639 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- BIDUPUR District- Vaishali

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1. Aniket Kumar @ Ankit Kumar Son Of Raju Singh @ Raj Kumar Singh
Residence Of Village - Ramdauli, P.S. - Bidupur, District - Vaishali
 2. Dama @ Uma @ Om Prakash Kumar Son Of Nagendra Rai Residence Of
Village - Sitalpur, Kamalpur, P.S. - Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

8 06-09-2024 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with

Bidupur P.S. Case No. 290 of 2023 for the offences under

Sections 302/34 of the Indian Penal Code and Section 27 of

the Arms Act.

3. The accused/petitioners are named in the

F.I.R. and are in custody since 26.06.2023.

4. The allegation against the petitioner is to

commit murder of husband of the informant alongwith

other co-accused persons while the husband of the

informant was called for from his house on pretext to

join a wedding party. The occurrence is alleged to be



arising out of money related issue.

5. Learned counsel appearing on behalf of the petitioners submitted that petitioners are falsely implicated in present case due to land dispute. It is also pointed out that the allegation of firing is specifically leveled against co-accused, namely, Rohit Kumar. While concluding the argument, it is submitted that the investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and moreover the petitioner no. 1 found involved in one more criminal murder case pending with the District Court, Bangalore, Karnataka where he is on bail whereas the petitioner no. 2 found involved in two criminal cases where he is also on bail.

6. Learned APP while opposing the prayer of bail submitted that the informant of this case is eye-witness of the occurrence who categorically stated during the investigation that both these petitioners hold her husband while co-accused, Rohit Kumar fired upon him,



causing his death.

7. Considering the aforesaid factual submissions and by taking note of fact as both petitioners have actively participated during the occurrence as to hold the husband of the informant while firing, by co-accused, causing his death, accordingly, prayer of both above named petitioners are **rejected** herewith for the present.

8. The petitioners are in custody since 26.06.2023, the learned Trial Court is directed to conclude the trial preferably within a period of nine months.

9. S.P., Vaishali is also directed to produce prosecution witnesses before the learned Trial Court as and when directed, as to conclude trial within aforesaid time period.

(Chandra Shekhar Jha, J)

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