

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32148 of 2024

Arising Out of PS. Case No.-109 Year-2022 Thana- MATIHANI District- Begusarai

Prem Kumar @ Nango @ Nago @ Bango son of Srikant Kunwar @ Srikant
Kumar Village- Maniyappa W.No-6, Ps- Matihani Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-06-2024 Heard Mr. Sandip Kumar Gautam, learned counsel
for the petitioner and learned counsel for the State.

2. The petitioner is in custody in connection with Matihani P.S. Case No. 109 of 2022 for the offence under Sections 323, 341, 307, 504, 34 of the Indian Penal Code and also under Section 27 of the Arms Act lodged on 15.08.2022 by the informant, Mukesh Kumar.

3. As per the prosecution story, the allegation is that due to minor scuffle between the parties, the petitioner opened fire which hit the navel of the victim. Regarding other accused persons, allegation is of assaulting the nephew of the informant. Accordingly, the F.I.R.

4. Though, learned counsel for the petitioner tried to impress upon this Court that there is a case and counter case and



the presence of the informant at the place of occurrence is doubtful and there was no blood stain at the place of occurrence, learned APP submits that in the F.I.R., specific allegation is there against the petitioner. He has further pointed out that the occurrence is of 15.08.2022, the petitioner finally chose to go to the judicial custody only on 29.01.2024 (Paragraph – 14).

5. Considering the allegation that has come against the petitioner as also the submission put forward by the learned APP, this Court is not inclined to extend the benefit of bail to him which is accordingly rejected.

6. The trial Court is directed to expedite the trial and conclude the same expeditiously.

(Rajiv Roy, J)

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