

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33781 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- DANDARI District- Begusarai

Vikash Kumar Son of Bishundev Sah @ Bishnudev Sah Resident of Village -
Katarmala, Ward no. 5, P.S.- Dandari, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 19-09-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dandari P.S. Case No. 103 of 2023 dated 13.11.2023 registered for the offences punishable u/ss 341, 302, 120(B), 504, 506 read with Section 34 of the Indian Penal Code alongwith Section 27 of the Arms Act.

3. As per the prosecution case, on 12.11.2023 at around 7:00 PM, the petitioner and the co-accused persons holding lethal weapons are alleged to have surrounded the informant and his father and started abusing. The co-



accused Kailash Tanti and Rajendra Shah caught hold of the informant's father on the order of the co-accused Rajeev Shah who also exhorted to kill. Upon which the petitioner, Vikash Kumar fired on the left side of his father who was declared dead by the doctor at Sadar Hospital, Begusarai.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the seizure list and the post mortem report were prepared prior to the FIR. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. It is submitted that the specific allegation is against the petitioner who fired on the informant's father who was declared dead by the doctor at Sadar Hospital, Begusarai. It is further submitted that the occurrence took place on 12.11.2023 and at around 09:52 PM, an inquest was prepared, and on the same day, a written application was submitted to the officers at the Town Police Station who subsequently



forwarded the application to the S.H.O of Dandari Police Station so, there was no delay in filing the FIR.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

Aman Kumar/-

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