

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37415 of 2024

Arising Out of PS. Case No.-781 Year-2023 Thana- BIHTA District- Patna

Praveen @ Praveen Kumar @ Biru Singh Son of Muklesh Singh @ Mukesh
Sharma Resident of Gram - Saguni, P.S.- Masurahi, District – Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithlesh Gupta, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, 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 Bihta P.S. Case No. 781 of 2023 dated 29.07.2023 registered for the offences punishable u/ss 147, 148, 149/302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 29.07.2023 at around 07:30 AM the informant's father and several villagers went to the field and after some time they saw that the petitioner and other accused persons and 10-15 unknown miscreants holding lethal weapons were doing illegal sand mining and loading it on the boat. On being objected by the



informant's father, the petitioner and co-accused, Anish Rai fired on him which hit on the chest of the informant's father who died on the way for treatment and after that the petitioner along with other co-accused fled away from the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is submitted that the first gun shot was fired by the co-accused, namely, Anish Rai, followed by a second shot from the petitioner. Additionally, the post mortem report indicates only one entry and exit wound from the bullet. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 25.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. It is submitted that the petitioner is named in the FIR and the specific allegation of firing on the informant's father is against the petitioner.

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

7. Learned Trial Court is directed to expedite the



trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

Aman Kumar/-

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