

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36673 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- KAKO District- Jehanabad

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Gaurav Kumar S/o Jainandan Sharma R/o Village- Bira , P.S Hulasganj,
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Sawarn, Advocate
For the Opposite Party/s : Mr. Renu Kumari, APP

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

ORAL ORDER

- 2 11-07-2024 1. 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 Kako P.S. Case No. 03
of 2024 dated 05.01.2024 registered for the offences punishable
u/ss 147, 148, 149, 341, 342, 323, 307 & 302 of the Indian
Penal Code and u/s 27 of the Arms Act.
3. As per the prosecution case, It is alleged that on
04.01.2024 the informant along with her daughter was returning
on a scooty after attending Civil Court Jehanabad in regard to a
land dispute case, when she reached near Kadarua over bridge,
three named accused persons armed with pistol in their hands
boarded on a motorcycle took over her scooty and stopped her.



It is further alleged that all three accused persons have assaulted the informant and her daughter, in the meantime petitioner fired bullet on the informant's daughter and she died on the spot, when she raised alarm for help, one Uday Prasad came to help her then accused Sumit Kumar fired bullet on Uday Prasad and he got seriously injured. It is further alleged that on two motorcycles and a Scorpio, 10-11 named accused persons including the petitioner came there and they shot on the informant. It is further alleged that the main cause of the murder is the marriage and illicit relationship of the informant's son-in-law, Gaurav Kumar (petitioner) with another girl.

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. Similarly situated co-accused have been granted regular bail vide order dated 04.07.2024 passed in Cr. Misc. No. 37283 of 2024 by this Court. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 28.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation against the petitioner, I'm not inclined to enlarge the petitioner on bail. Accordingly, the application stands rejected.

7. Further, the learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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