

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34190 of 2023

Arising Out of PS. Case No.-141 Year-2010 Thana- GOH District- Aurangabad

MUNNA SHARMA @ RAMKUMAR SHARMA @RAJ KUMAR
SHARMA Son of Shyam kishore Sharma Resident of Village Erari, PS-
Uphara, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Goh P.S. Case No. 141 of 2010 instituted for the offence under Sections 302, 307, 326, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is alleged that on 17.10.2010 the informant along with his father was at Rafiganj road, in the meantime, the accused persons including the petitioner came there and started firing which hit the father of the informant due to which he sustained gunshot injury and died during course of treatment.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case. From perusal of FIR, it transpires that the alleged occurrence took place on 17.10.2010 but the FIR was registered after delay on a day on 18.10.2010. The inquest report as well as postmortem report have been conducted prior to the registration of FIR which creates doubt upon the authenticity of the prosecution. The petitioner is languishing in judicial custody since 23.6.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who along with co-accused Bucha Sharma has specifically been alleged to fire by pistol upon the father of the informant due to which he succumbed to injury. The postmortem report of the deceased in para 37 of the case diary corroborates the prosecution case in which two entry wounds were mentioned and the doctor opined the cause of death is due to hemorrhage and shock caused by firearm injuries. It is further submitted that the seizure list also supports the case which shows that a diary with passport size photograph of the petitioner was recovered from the place of occurrence.

6. Having heard the learned counsel for the parties and considering the specific allegation of firing against the



petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

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