

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35662 of 2024

Arising Out of PS. Case No.-384 Year-2022 Thana- PUNAURA District- Sitamarhi

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Raja Kumar @ Karan Kumar Son Of Narendra Singh Village Khairwa Ward
No. 03, Ps- Punaura District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 04-10-2024 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Punaura P.S. Case No. 384 of 2022 registered for the

offences under Sections 302/34 of the IPC and Section 27

of the Arms Act.

3. The petitioner is named in the F.I.R. and is in

custody since 11.12.2023.

4. The allegation against the petitioner is to

commit murder of the son of informant alongwith other co-

accused persons by causing gun shot injury from very close

range, which hit on the neck of the deceased, where



occurrence as alleged to be arises out of land dispute.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been implicated falsely with the present case due to land dispute. It is submitted that petitioner is a young boy and trial of this case may take longtime to conclude. It is also submitted that no incriminating material recovered from the house/conscious physical possession of petitioner, so as to connect him with the present occurrence including any firearms. While concluding the argument it is submitted that investigation of this has already completed and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that informant, who is none but the father of the deceased is the eye-witness of the occurrence, where manner of causing gunshot injury appears fully corroborated with post-mortem report of the deceased. It is submitted that bullet was said to be fired from very close range and same appears also corroborated as "blackening and charring" was present



around the injury.

7. In view of aforesaid facts and circumstances as mentioned above as specific allegation to cause firearm injury on the neck of the deceased, from very close range is available against petitioner, which appears fully corroborated with the post-mortem report of the deceased, where informant is the eye-witness of the occurrence, accordingly, prayer for grant of bail is rejected, herewith.

8. Learned trial court is directed to conclude the trial at its earliest, in accordance with law.

(Chandra Shekhar Jha, J.)

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