

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40159 of 2024**

Arising Out of PS. Case No.-12 Year-2024 Thana- PANDAUL District- Madhubani

Vinay Kumar S/O Surish Ray @ Sudhish Ray R/O Village- Pakari Basarat,
P.S.- Sahebganj, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 23-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Pandaul P.S. Case No. 12 of 2024, registered for the offences punishable under Sections 394, 302 and 34 of the IPC and Section 27 of the Arms Act.

3. As per allegation, some miscreants were stealing out diesel from the truck. The informant saw the miscreants and when he intervened, one of the miscreant fired shot at him and when the guard attempted to catch the miscreant, one of the miscreant fired at his stomach.

4. Learned counsel for the petitioner submits the co-accused Om Prakash Kumar has stated in his confessional



statement that petitioner Vinay Kumar had fired at the deceased. Though, in his confessional statement, the petitioner has also confessed that he shot fire the deceased but in the eye of law, there is no evidentiary value of the confessional statement. The petitioner is under custody since 27.02.2024.

5. On the other hand, learned APP for the State has vehemently opposed the prayer for bail by submitting that the petitioner shot dead the deceased and **he has got criminal antecedents of five cases.**

6. Considering the above-mentioned facts and circumstances as well as gravity of the allegation and also the fact that the petitioner has five criminal antecedents, I do not think it to be a fit case for bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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