

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43563 of 2024

Arising Out of PS. Case No.-688 Year-2023 Thana- DANAPUR District- Patna

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Kunal Kumar @ Kunal Singh S/o Somesh Kumar Singh R/o Haldi Chapda ,
P.S. - Maner, Distt. - Patna, at present R/o Narkat Gali, South of Pokhar of
Jayant Kumar Singh, Tenant of Subodh Ji Railway Driver, P.S. - Danapur,
Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 18-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Session Trial No. 1009 of 2023 arising out of Danapur P.S

Case No. 688 of 2023 from the Court of learned A.D.J-II,

Danapur (Patna) registered for the offences punishable

under Sections 688/2023 U/S 302, 307, 34, 120(b) of I.P.C

and Section 27 of the Arms Act and added Section 25(1-b)a,

26, 35 of the Arms Act.

3. As per allegation in the FIR, petitioner along

with two other unknown persons have fired bullet on the

Anil Rai and informant, due to which one Anil Ray died and



informant became injured.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is also submitted that petitioner is in judicial custody since 25.05.2023 and petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is further submitted by the learned counsel for the petitioner that one of the co-accused has already granted bail by the Co-ordinate Bench of this Court.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. On perusal of the FIR, case diary and impugned order dated 21.05.2024 it appears that, petitioner is named in the FIR and there is specific allegation against the present petitioner to fired upon the deceased. Witnesses have also supported the version of the prosecution case. It also appears that on the next date of occurrence one country made pistol were also recovered from the present petitioner. Post Mortem report also supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case this Court is not inclined to grant



bail to the petitioner. Hence, prayer for regular bail of the
petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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