

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47525 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- JAMALPUR District- Munger

Priyanshu Kumar Son of Prakash Mandal Resident of Gurudwara Road, Bari
kesopur, P.S.-Jamalpur, District- Munger Petitioner/s
Versus
The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP
For the Informant : Mr. Yogendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 08-10-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Jamalpur P.S Case no.162 of 2023 registered under Sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner is said to have shot the son of the informant leading to his death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He next submits that nobody has seen the alleged occurrence and informant reached after the death of his son and the petitioner has voluntarily surrendered before the learned trial Court on 05.01.2024 and from perusal of injury report of the deceased, it clearly suggests that deceased was not in a position to describe the story to the informant. Petitioner has got five criminal



antecedents as stated in para 3 of the bail application.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct and specific allegation against the petitioner of firing at the informant's son leading to his death. Petitioner has got criminal antecedent of similar nature.

6. On perusal of the First Information Report, it appears that dying declaration of the deceased as mentioned in the FIR and there is specific allegation against the petitioner Priyanshu Kumar and co-accused Saurav who caught hold Vipul (deceased) and given '**Goli**' (cartridge) to accused Pawan Mandal, who fired upon the deceased and succumbed to his death. From perusal of the post mortem report, Doctor found fire arm injury on the body of the deceased. So considering the gravity of the case and serious allegation levelled against the petitioner and taking into consideration that petitioner has got five criminal antecedents as stated in para 3 of the bail application, the Court is not inclined to enlarge the petitioner on bail and the application is hereby rejected.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

