

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55124 of 2023

Arising Out of PS. Case No.-250 Year-2022 Thana- DAWATH District- Rohtas

1. Kamlesh Kumar Singh Son Of Ramayan Singh Resident Of Village- Fatehganj, Ps- Dawath, Distt- Rohtas
2. Manglesh Kumar Singh @ Majhil Son Of Ramayan Singh Resident Of Village- Fatehganj, Ps- Dawath, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 149, 341, 323, 504, 506, 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the allegation against the petitioners along with co-accused persons is that they armed with several weapons started abusing and assaulting on the informant while he was returning his home from market. When his son came to save him, in the meantime the petitioners shot fired upon his son due to which his son sustained gunshot injuries,



thereafter he was taken to hospital where doctor declared him dead.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to previous enmity. It is further submitted that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 18.11.2022.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that there is specific allegation against the petitioners of firing upon the the informant's son due to which his son sustained gunshot injuries and died. As per postmortem report doctor opined cause of death due to haemorrhage and shock caused by firearm injuries. It is further submitted that during investigation, witnesses also supported the prosecution version.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioners of opening fire, resulting into death of the informant's son, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands



rejected.

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

(Sunil Kumar Panwar, J)

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