

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64008 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- NAUBATPUR District- Patna

Rishi Kumar Son of Anand Narain Singh Resident of Village - Shekhpura,
Police Station - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Singh, Adv.
For the Opposite Party/s : Mr.Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 05-12-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Naubatpur P.S. Case No. 141 of 2024 instituted for the offences
under Sections 302, 120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of the Informant’s husband and her devar by firing.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He submits that the F.I.R. has



been lodged after 24 hours of the alleged occurrence which creates doubt in the prosecution case. He further submits that the specific allegation of firing is against the co-accused Bharat Singh, Mirtunjay Kumar, Anshu and Aman Singh who opened fire upon the husband and devar of the Informant who sustained fire-arm injuries and succumbed to their injury. The allegation against the petitioner along with other co-accused is of only catching hold the husband and devar of the Informant at the time of occurrence. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. None of the witnesses has alleged any specific allegation against the petitioner. The charge-sheet has been submitted in this case. The petitioner has no criminal antecedent and is languishing in judicial custody since 11.03.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the present case is relating to double murder case. The postmortem report supports the prosecution case. There is specific allegation against the petitioner of catching hold the Informant's husband and her devar at the time of occurrence. The police has submitted charge-sheet against the petitioner



under Section 302, 120(B) read with Section 34 of the I.P.C. and Section 27 of the Arms Act. The offence alleged against the petitioner is serious in nature and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the nature and gravity of the offence as also there being specific allegation against the petitioner of catching hold the deceased, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected.

(Rudra Prakash Mishra, J)

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