

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71203 of 2023

Arising Out of PS. Case No.-570 Year-2022 Thana- DHANARUA District- Patna

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Guddu Kumar Son Of Bijendra Prasad Resident Of Village - Dubhara, P.O. -
Madpura, P.S. - Dhanarua, District - Patna, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhijeet Abhigyan
For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Dhanarua P.S. Case No. 570 of 2022 instituted for the
offence under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per allegation in the FIR, while the informant
along with his sons was going to court, in the meantime, two co-
accused persons including this petitioner surrounded him. Co-
accused Tunnu Kumar put out his pistol and fired upon son of
the informant. Thereafter, this petitioner along with Mukesh
Kumar also fired due to which son of the informant namely,
Munna Kumar succumbed to injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely



been implicated in this case due to earlier dispute between the informant and the petitioner's brother. It is also submitted that the petitioner is languishing in judicial custody since 12.7.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who along with co-accused Mukesh and Tunnu Kumar has specifically been alleged to fire upon the son of the informant due to which he succumbed to injury. Postmortem report of the deceased corroborates the prosecution case in which doctor opined the cause of death is due to shock & haemorrhage caused by Projectile Fire Arm injuries. It is also submitted that the witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. 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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