

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68172 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- KARPI District- Jehanabad

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Guddu Kumar @ Pankaj Son of Ram Ratan Singh R/o Village- Hansraj Bag,
P.S.- Karpi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Darshan, Adv

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Karpi P.S. Case No. 85 of 2024 dated 20.03.2024 registered for the offence punishable u/ss 302 of the Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, when the informant's elder brother proceeded from his motorcycle to his house from his working place i.e., Petrol Pump and when he reached near *Dharamkanta* then some miscreants fired on him due to which he sustained injury. Thereafter, the injured was taken to the hospital where the doctor declared him to be dead.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. It is also submitted that there is no eye-witness of the occurrence. There is no overt act alleged against the petitioner. No incriminating article has been recovered from the possession of the petitioner. The petitioner used to reside outside of his native village for his livelihood. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. As per para 7 of the case diary, the petitioner has identified in the CCTV footage of the *Bhashar Petrol Pump* and the tower location of the petitioner has been found near the place of occurrence. As per para 28 of the case diary, the wife of the deceased has stated that one day prior to the alleged occurrence the petitioner with his associates had come to her house in search of her husband (deceased) and threatened to kill him. As per 29 and 44 of the case diary, witnesses have given statement that on the alleged date of occurrence an altercation has taken place between the petitioner and deceased regarding money and threatening was given by the petitioner that he would kill Rajesh Kumar



(deceased) and on that very day Rajesh Kumar was shot dead.
As per the post mortem report, the cause of death is due to shock and hemorrhage caused by head injury.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Karpi P.S. Case No. 85 of 2024 pending in the court of learned Additional Sessions Judge- 1, Jehanabad.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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