

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67438 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Golu Kumar @ Shivam Kumar Son o Manoj Kumar Singh village- Tilak
Tajpur Ps- Runnisaidpur District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Partys

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the Informant	:	Mr. Navendu Kumar, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 11-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 54 of 2023 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per prosecution case, the petitioner and others are said to have made firing from pistol which hit the chest of informant's son as a result of which he died on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner is in custody since 30.01.2023 and bears three criminal antecedents. Learned counsel further submits that investigation has been initiated immediately after lodging the FIR which indicates



that the prosecution story has been made in accordance with the suitability of facts and circumstances of the case in order to frame case against the petitioner.

5. The learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner by submitting that after lodging sanha, the police initiated the investigation. They further submit that there is specific allegation against the petitioner to shot the informant's son, which is supported by statement of the eye witnesses namely Prem Shankar, Kiran Devi, Deepak Singh and Chitranjan Jha as mentioned in para 8, 9, 10 and 39 of the case diary respectively and the same is corroborated by the post-mortem report also.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the learned trial court is directed to conclude the trial as early as possible.

(Alok Kumar Pandey, J)

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