

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78163 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- UCHKAGAON District- Gopalganj

MANU PATEL S/O VIDYANAND PATEL VILLAGE- JAMSAR, PS.
UCHKAGAON, DIST. GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 10-04-2024 Heard learned counsel for the petitioner Shri Ajay Kumar Thakur, Shri Harendra Pd. for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Uchkagaon P.S. Case No. 281 of 2022 registered for the offence under Sections 147, 148, 149, 323, 324, 307, 302, 448 of the Indian Penal Code.

3. As per the prosecution case, it is the petitioner who has shot at the victim which caused injury on the neck of victim and because of the same, the victim died.

4. Learned counsel for the petitioner submits that the occurrence is of 18.08.2022. The inquest report was also prepared on 18.08.2022 but the FIR has been lodged on 19.08.2022.



5. Learned counsel for the petitioner further submits that there was no reason to stop the prosecution from lodging the FIR on the same day of the occurrence and lodging the same after a delay of one day, creates doubt on the prosecution version. He also submits that the petitioner is in custody since 2.12.2022.

6. Learned counsel for the informant and learned APP for the state have vehemently opposed the application of the petitioner.

7. I have heard and considered the submissions of the parties.

8. Merely because the inquest was prepared one day before the lodging of the FIR, the prosecution cannot be doubted. The petitioner is the assailant of the deceased.

9. In view of the above, this Court is not inclined to grant bail to the petitioner.

10. Accordingly, this application is dismissed.

11. The Court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Sandeep Kumar, J)

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