

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84092 of 2023**

Arising Out of PS. Case No.-254 Year-2022 Thana- MURLIGANJ District- Madhepura

Vikash Kumar @ Vikash Yadav Son Of Silayee Yadav R/O Village-
Parmanandpur (Ward No.11), P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prasad Singh, Adv.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Murliganj P.S. Case No. 254 of 2022 dated 30.05.2022, lodged
under Sections 147, 341, 302, 120-B, 504 and 506 of the I.P.C.
read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 10 named accused including the petitioner. The
criminals came armed and fired at the prosecution party,
thereafter, Vikash Kumar and Bhola Yadav fired from their rifle
upon the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner is in custody since 08.09.2023 having clean
antecedent. He further submits that there is only one gun shot

injury on the body of the deceased and therefore, the petitioner may be granted bail.

5. Learned counsel for the petitioner further submits that whether it is the petitioner or other co-accused, who has shot the deceased is a subject matter of the trial. It is an admitted position that the petitioner has participated in the killing of the deceased.

6. Learned A.P.P. for the State opposes the prayer for bail.

7. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner along with one accused had fired upon the husband of the informant.

8. Considering the aforesaid fact that one person had been killed by the petitioner, I am not inclined to grant bail to the petitioner and therefore, the present bail application is hereby rejected.

9. The Trial Court is directed to expedite the trial as early as possible. If the trial is delayed, caused by the prosecution, the petitioner has liberty to renew his prayer for bail.

(Sandeep Kumar, J)

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