

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2072 of 2024

Arising Out of PS. Case No.-352 Year-2022 Thana- BHAGWAN BAZAR District- Saran

VINOD KUMAR S/O RAJENDRA RAY R/O VILLAGE- AULI GACHHI,
P.S- RIVILGANJ, DISTT.- SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : **Mr.Rabindra Kumar, APP**

For the Opposite Party/s : Mr. Kaashiraj Ramani, Adv.
For the Informant/s : Mr. Ravi Prakash, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State and counsel for the informant.

2. The petitioner seeks regular bail in connection with Bhagwan Bazar P.S. Case No. 352 of 2022 lodged under Sections 302, 120B and 34 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 four named accused persons that they all called the informant's brother and provide wine to him and subsequently, the allegation has been made that the petitioner has fired gun shot in the chest of the deceased due to which he died on spot.

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



that from the minute reading of the F.I.R., it shall be clear that the informant is not the eye witness. He further submits that in the last line of the petition, interpretation has been made in the F.I.R. and some line segments has been added in the F.I.R..

5. Counsel submits that petitioner's antecedent is not clean and there are two criminal cases pending against him in which he is on bail. He submits that petitioner is in custody since 26.07.2023 and charge-sheet has already been filed in this case.

6. Counsel further submits that the allegation of threat has already been given prior, therefore, it is unbelievable according to him that the person to whom the threaten has been given, shall move with the accused persons.

7. Learned counsel for the State opposes the prayer for bail and submits that there is a direct allegation made in the F.I.R. against the petitioner.

8. Counsel for the informant vehemently opposes the prayer for bail and submits that from the bare reading of the F.I.R., there is direction allegation of gun shot, injury on the chest of the deceased due to which the brother of the informant died.

9. In the present facts and circumstances of this case



and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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