

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5296 of 2024

Arising Out of PS. Case No.-144 Year-2023 Thana- PASRAHA District- Khagaria

Sujit Kumar @ Guddu son of LATE RAMDEO SINGH R/O Village-
Mahdipur, P.S. -Pasraha, District- Khagariya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A.K. Thakur, Ms. Vaishnavi Singh, Advocates.
For the Opposite Party/s	:	Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 27-03-2024 Heard the parties.

2. Petitioner seeks regular bail in connection with
Pasraha P.S. Case No. 144 of 2023 registered for the offence
punishable under Sections 302, 307/34, 120(B) of the Indian
Penal Code and Section 27(3) of the Arms Act.

3. As per the First Information Report, the petitioner
along with other four miscreants has fired upon the husband of
the informant, due to which, he sustained firearm injury on his
head, right ribs and subsequently, he died on the spot itself. It is
further alleged that other relatives of the informant also received
fire arm injuries.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case at the instance



of his enemies on the pretext of political rivalry and the prosecution story is completely false, fabricated and concocted. The petitioner has not committed any offence as alleged in the FIR. Learned counsel further submits that petitioner is in custody since 29.05.2023.

5. Learned APP, while vehemently opposing the prayer for regular bail, submits that there is direct allegation of firing upon the petitioner. Hence he does not deserve privilege of bail.

6. On perusal of the FIR and the case diary, it appears that specific allegation of firing upon the husband of the informant is against the petitioner and the postmortem report shows the injuries found on the body of the deceased are grievous which proved fatal and the deceased succumbed to this injuries. Taking into consideration the injuries found on the body of the deceased and the fact that the petitioners have got criminal antecedents, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected.

(Ramesh Chand Malviya, J)

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