

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2213 of 2024

Arising Out of PS. Case No.-255 Year-2022 Thana- HILSA District- Nalanda

Surendra Prasad S/o Krishna Prasad @ Krishn Prasad R/o Village-Pakria
Bigha, P.S-Hilsa, District-Nalanda.

... .. 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. Vinod Shanker Modi, APP

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.

2. The petitioner seeks regular bail in connection with
Hilsa P.S. Case No. 255 of 2022, lodged on 13.04.2022 under
Sections 147/148/149/379/338/302/427 of the Indian Penal
Code read with section 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against 19 named accused persons including the present
petitioner against whom there is an allegation that they
altogether surrounded the house of the informant and started
pelting stones at the house of the informant. Specific allegation
against the petitioner is that one Chandradeep Prasad and the
petitioner have fired by gun in the mouth of the informant's
father and subsequent allegation that the said petitioner has fired



on the chest of the informant's father due to which the informant's father fell down and subsequently died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that there is only one gun shot injury on the body of the deceased whereas, as per the FIR, there are two gun shots injuries ought to be present on the body of the deceased. Counsel further submits that in the entire FIR, general and omnibus allegation has been made.

5. Learned counsel for the petitioner submits that from the contents of the FIR, it is crystal clear that there is an admitted land dispute since long. Counsel also submits that antecedent of the petitioner is clean and he is in custody since 27.06.2022.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is a direct allegation in the FIR of firing due to which the informant's father died.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Hilsa P.S. Case No. 255 of 2022, pending before the learned 1st Additional Sessions Judge, Hilsa



(Nalanda) is hereby rejected.

9. Liberty is hereby granted to the petitioner that he may renew his prayer for bail one year after framing of charge.

(Dr. Anshuman, J.)

Divyansh/-

U		T	
---	--	---	--

