

Arising Out of PS. Case No.-141 Year-2024 Thana- NAUBATPUR District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swarna Roy, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 141 of 2024, instituted for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons committed murder of the informant's husband and her *devar* by firing.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that name of the petitioner has transpired in this



case only because he is close relative is one of the accused person. The petitioner is a student and is residing with his family in his village. No specific allegation has been attributed against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 10.09.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that the present case is relating to double murder case. The postmortem report supports the prosecution case. There is specific allegation against the petitioner of firing upon husband of the informant and on her *devar*. The offence alleged against the petitioner is serious in nature and, hence, he does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence as also there being specific allegation against the petitioner of firing, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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