

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28941 of 2025

Arising Out of PS. Case No.-110 Year-2023 Thana- KHUSRUPUR District- Patna

Rajeev Kumar S/o Dandan Singh R/o Vill.- Sukarbegchak, P.S.- Khusrupur,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Khusrupur P.S. Case No. 110 of 2023, instituted for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner shot dead the brother of the informant on the order of co-accused, namely, Dandan Prasad. It is further alleged that the motive was a dispute over money given for a second-hand truck and police recovered cartridges from the scene.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the deceased was driving the truck of the petitioner and later on when the petitioner removed him from service due to his suspicious activity and in the meantime he was shot by some unknown miscreant, then only after due deliberation and concoction, the family of the deceased has made the petitioner and his family members accused in this case. It is further submitted that witnesses in course of investigation has stated that some unknown motorcycle borne criminals shot the deceased. The petitioner has got no concern with the alleged incident. The petitioner is in custody since 29.06.2023 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 submits that on perusal of record it transpires that in case diary, the witnesses in their statement has supported the prosecution case. There is specific allegation against this petitioner. Postmortem report supports the prosecution case. Hence, the petitioner does not deserve the privilege of bail.

6. On perusal of the present stage of the trial, it appears that trial is in progress and six witnesses have been



examined till 18.03.2025. It further transpires that the trial is already on the verge of conclusion.

7. Considering the aforesaid facts and circumstances of the case, present stage of trial, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. The prayer is rejected. The trial Court is directed to expedite the Trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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