

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63370 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- MIRGANJ District- Gopalganj

Lakhan Singh, male, aged about 28 years, son of Ram Pravesh Singh village-
Matihani Madho, Police Station- Mirganj, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raghav Prasad, Advocate

For the Opposite Party : Mr. Shailendra Kumar, APP

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

ORAL ORDER

5 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for an
offence punishable under Sections 302, 120(b), 34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, on 05.08.2023 in the
morning, son of the informant, namely, Prince Kumar Soni left
the house on motorcycle to sell the ornaments. After sometime,
co-villager, Deepak informed that her son has been killed by
unknown persons and when informant with other family
members reached there it has been informed that three unknown
persons have killed his son.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in this
case. He next submits that petitioner is not named in the FIR.
Petitioner is in custody since 09.10.2023.



5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner has four criminal antecedents as stated in para-3 of the bail petition and he also submits that it appears from paragraph-34 of the case diary, in Mirganj P.S. Case No.303 of 2023 that the arrested accused (present petitioner) Lakhan Singh has been arrested with TVS star Motorcycle bearing Registration No. BR28AA0302 and with one firearm, and it is also stated that the said motorcycle and firearm were used in the present occurrence.

6. On perusal of the first information report, case diary, post-mortem report of the deceased and impugned order dated 21.06.2024, it appears that the motorcycle which was used in the present occurrence, has been recovered from the petitioner and there is *prima-facie* involvement of the petitioner, and since there is serious allegation against the petitioner for committing the murder of the deceased, so I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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