

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69935 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- BARHARA District- Bhojpur

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Rakesh Kumar @ Rocky Son of Basawan Prasad @ Basawan Bin Resident of
Village - Ujiyar Tola, P.S. - Ara Nagar, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikash Kumar Yadav village- Babhangawan, P/S- Barhara (Krishnagarh)
Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar, Advocate
For the State	:	Mr.Pushpa Sinha.1, APP
For the Informant	:	Mr. Shashank Shekhar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 20-06-2025 Heard the learned counsel for the petitioner and the

learned APP for the State and learned counsel for the informant.

2. This is the 2nd attempt of the petitioner. Earlier the

bail application of the petitioner was rejected *vide* order dated

07.11.2023 passed in Cr. Misc. No. 71310 of 2023 .

3. The petitioner seeks regular bail in a case registered

for the offence under Sections 302, 120B, 34 of the Indian Penal

Code and Section 27 of the Arms Act in which Section 25(1-b)a,

26 of the Arms Act was subsequently added.

4. The following order was passed on 07.11.2023 in

Cr. Misc. No. 71310 of 2023 :-

Heard the learned counsel for the
petitioner, learned counsel for the informant and learned
APP for the State.

2. The petitioner seeks bail in connection
with Barhara P.S. Case No. 291 of 2023 registered for the
offence under Sections 302, 120B/34 of the Indian Penal
Code and Section 27 of the Arms act.

3. As per the prosecution case, petitioner is



said to have killed the deceased.

4. Learned counsel for the petitioner submits that during course of investigation, the name of the petitioner has transpired. Petitioner is in custody since 19.05.2023.

5. Learned A.P.P. has vehemently opposed the prayer for bail and has submitted that the petitioner was seen in the CCTV Footage and on his statement, the pistol, which was used in the alleged crime has been recovered. Petitioner has himself admitted that he is a hired killer.

6. Considering the serious allegation against the petitioner and the materials available on record against him, I am not inclined to grant bail to the petitioner.

7. This application stands rejected.

8. The Court below is directed to expedite the trial of the petitioner.

9. Let a copy of this order be communicated to the District Judge, Bhojpur at Ara through FAX for its compliance forthwith.

5. Learned counsel for the informant has submitted that the trial has started and two witness has been examined.

6. In these circumstances, when the trial has started the petitioner does not deserve bail.

7. Accordingly, this application for regular bail is hereby rejected.

8. Learned counsel for the informant has assured this Court that the witnesses will be examined regularly in the trial.

9. If the trial is delayed by the prosecution, the petitioner may renew his prayer for bail.

(Sandeep Kumar, J)

Anand/-

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