

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77946 of 2024

Arising Out of PS. Case No.-784 Year-2023 Thana- NAUBATPUR District- Patna

Brajesh Kumar S/o Sri Dinesh Singh @ Dinesh Sharma R/o vill - Ibrahimpur,
P.S. - Naubatpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pathak, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP
For the Informant	:	Ms. Perna Rishi, Advocate

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

ORAL ORDER

5 10-01-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with S.Tr.
No. 528 of 2024 arising out of Naubatpur P.S. Case No. 784 of
2023 instituted for the offences under Sections 147, 148, 149,
323, 302, 385 of the Indian Penal Code and 27 of the Arms Act

3. Prosecution case as emanates from the FIR is that
petitioner along with others has brutally assaulted and fired
upon the son of the informant leading to his death.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and
omnibus allegation has been made against the petitioner. No



specific overt act is alleged against the petitioner. The co-accused person has already been granted regular bail by this Bench vide order dated 28.06.2024 passed in Cr. Misc. No. 44767 of 2024. Charge-sheet has been submitted in this case and charge has also been framed in this case on 19.09.2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.11.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant further submitted that there is specific allegation of firing upon the deceased against the petitioner and, therefore, petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and the specific allegation of firing upon the deceased against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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