

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78228 of 2024

Arising Out of PS. Case No.-552 Year-2022 Thana- BARH District- Patna

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Kailu Das @ Kailash Das Son of Late Bachchu Das Resident of Akbarpur
P.S.- Barh, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Chandra, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP
For the Informant	:	Mr. Mrityunjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-01-2025 Heard Mr. Anil Chandra, learned counsel for the petitioner and Mr. Surendra Prasad Singh, learned APP for the State as well as Mr. Mrityunjay Kumar, learned counsel appearing on behalf of the Informant.

2. Petitioner seeks bail, who is in custody since 08.09.2022, in connection with Sessions Trial No. 351 of 2023 arising out of Barh P.S. Case No. 552 of 2022, F.I.R. dated 20.08.2022 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he has fired upon the son of the informant due to which he died.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact the petitioner has filed a case on 19.08.2022 against Adalat Das, Mukesh Das and Raju Das and on that basis the petitioner has been falsely implicated in the present case and apart from that the informant is not an eye witness of the alleged occurrence.

5. Learned APP for the State as well as learned counsel appearing on behalf of the Informant, on the other hand, opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R. it appears that there is direct and specific allegation against the petitioner that he fired upon the victim and the victim has died and apart from that the post mortem report also corroborates the allegation as alleged in the F.I.R. against the petitioner.

6. Considering the aforesaid facts that there is direct and specific allegation against the petitioner that he has fired upon the victim and hence I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 351 of 2023 arising out of Barh P.S Case No. 552 of 2022 pending in



the Court of learned Additional District & Sessions Judge 6th,
Barh, Patna.

7. Prayer is refused.

8. However, the learned Trial Court is directed to
expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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