

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83254 of 2024

Arising Out of PS. Case No.-445 Year-2023 Thana- PARBATTa District- Khagaria

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Dular Kumar S/O Shri Randhir Kumar @ Randhir Chaudhary Resident of
village- Sirajpur, Post- Temtha, P.-S. Parbatta, Distt-Khagaria(Bihar) 851216
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aaruni Singh
For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is the second attempt of the petitioner for grant
of bail. Earlier his application was rejected vide order dated
18.04.2024 passed in Cr. Misc. No. 11126 of 2024. The order
dated 18.04.2024 reads as follows:-

*“Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State as well
as learned counsel for the Informant.*

*2. The petitioner seeks bail in connection with
Parbatta P.S. Case No.445/2023 registered for the offence
punishable under Sections 302/34/120(b) of the Indian
Penal Code and Section 27 of the Arms Act.*

*3. The petitioner and others are said to have called
the deceased from his house and have shot at him and killed
him. The deceased has sustained four firearms injury.*

*4. Learned counsel for the petitioner submits that
the deceased has been killed by one of the accused persons
whereas materials have come that all the accused have shot
at the deceased. The petitioner is in jail since 23.09.2023.*

5. In view of the above, this application is dismissed.

6. The trial Court is directed to expedite the trial.”



3. From the report of the trial Judge, it appears that two witnesses have already been examined.

4. This application is dismissed in view of the judgment of the Hon’ble Supreme Court passed in the case of **X Vs. State of Rajasthan & Anr.** reported in **2024 SCC Online SC 3539.**

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

(Sandeep Kumar, J)

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