

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90282 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- KARPI District- Jehanabad

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Jai Prakash Kumar @ Chhotu Son of Sri. Janeshwar Singh Resident of
Village - Rampur Chai, P.S.- Karpi (O.P. Sahar Telpa), District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Chandra Shekhar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

4 23-04-2025 Heard Mr. Kumar Chandra Shekhar, learned counsel

for the petitioner and Mr. Choubey Jawahar, learned APP for the

State.

2. The petitioner seeks bail in connection with Karpi
(O.P. Sahartelpa) P.S. Case No. 302 of 2023 instituted for the
offences under Sections 302, 120B/34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. Accusation against the petitioner is of committing
the murder of his own brother by firing upon him.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is the own brother of the deceased.
Learned counsel further submitted that charges have already



been framed against the petitioner. Learned counsel further submitted that, as a matter of fact, the deceased was quarreling with his wife and son and when the petitioner came to pacify the matter, the informant, who is the wife of the deceased, fired upon the deceased due to which the deceased died and in order to save her skin, the informant falsely implicated the petitioner in the present case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.08.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that there is direct allegation against the petitioner of firing upon the deceased due to which he died and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also there being direct allegation against the petitioner of firing upon the deceased, this Court is not inclined to grant bail to the petitioner at this stage.

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

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to



renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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