

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3970 of 2015

Arising Out of PS. Case No. -124 Year- 2014 Thana -BHAPATIYAH District- SUPAUL

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Kashindar Mangrait @ Koshindra Mangrait Son of Soman Mangrait
Resident of Vill & P.S - Bhaptiyahi, Distt. - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-03-2015

Heard both sides.

The petitioner seeks bail in a case under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that while he along with his father-in-law was returning, three persons came on a motorcycle and fired at his father-in-law on his chest.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The injured made statement after four days of the occurrence in P.M.C.H., Patna and alleged that five persons came and fired at his father-in-law on his chest. It is submitted that the supervisory authority doubted the statement of the injured. The petitioner was not even present at the place of occurrence as on the same day, his son was admitted in D.M.C.H.,

Darbhanga and he breathed his last.

It appears that the informant did not name the petitioner but the injured father-in-law of the informant made a very specific allegation that it was the petitioner, who fired at him, which hit on his chest. Hence, I am not inclined to enlarge the petitioner on bail at this stage in Bhaptiyahi P.S. Case No. 124 of 2014, corresponding to G.R. No. 1738/2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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