

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2710 of 2015

Arising Out of PS.Case No. -119 Year- 2012 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Chandraket Singh S/o Late Bindeshwari Singh R/o Vill - Delho, P.S. -
Madhuban, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 29-07-2015

Heard learned counsel for the petitioner,
learned Additional Public Prosecutor for the State and
learned counsel appearing for the informant.

Admittedly, the informant and one other person
sustained fire-arm injury whereas; informant's son died
having sustained fire-arm injury. It is stated that petitioner
along with others entered the house of the informant and
opened fire causing fire-arm injury to informant whereas; the
other accused opened fire causing fire-arm injury to
informant's son and other injured of this case.

The contention on behalf of the petitioner is that
the petitioner has been implicated in this case on account of
political rivalry and as a matter of fact, on the alleged date of
occurrence, there was marriage ceremony of sister of the
petitioner and, therefore, it is not believable that petitioner

would commit the aforesaid occurrence on the day of marriage of his sister. It is further contended by him that the injury report of informant has not been brought on record and moreover, the petitioner has not even touched the body of the deceased.

Paragraph-80 of the case diary reveals that the I.O. incorporated the injury report of informant and the aforesaid paragraph reveals that opinion regarding the injury of the informant was kept reserved and the I.O. did not take any pain to collect the complete injury report of the informant. The petitioner carries criminal antecedent of four cases and similarly an associate of the petitioner also carries dozens of cases in his baskets.

Therefore, considering the aforesaid facts and circumstances as well as submission of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Madhuban P.S. Case No. 119 of 2012 pending in the court of Learned Sub Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran, stands rejected.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--