

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23166 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

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Munna Yadav Son of late Harihar Yadav R/o Village- Lalganj, P.S
Buxar(M), District Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Smt. Indu Bala Panday (APP)
For the Informant : Mr. Ramakant Yadav.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Buxar
(M) P.S. Case No. 44 of 2015 registered under sections 147, 148,
341, 323, 448, 307, 302 of the I.P.C. and section 27 of the Arms
Act pending in the Court of C.J.M., Buxar.

The accusation is that petitioner along with seven
other accused persons armed with lathi, danda and pistol assaulted
the son of the informant Ashok Kumar Singh. In that course, co-
accused Munna Yadav fired at the head of the son of the
informant, who died in course of treatment.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has falsely been implicated in this case due

to enmity. It is also submitted that petitioner, having no criminal antecedent, is in custody since 10.03.2015.

On the other hand, learned A.P.P. opposed the prayer of the petitioner with contention that the witnesses, as cited in paragraph nos. 13, 22 and 23 of the case diary, have specifically stated about causing assault through fire arm by this petitioner to the deceased Ashok Kumar Singh, son of the informant.

Having considered the facts and circumstances of the case and nature of allegation, I find no fresh ground to re-consider the prayer of the petitioner for bail. Accordingly, the application stands rejected.

(Rajendra Kumar Mishra, J.)

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