

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25798 of 2014

Arising Out of PS.Case No. -103 Year- 2013 Thana -ARA NAGAR District- BHOJPUR

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1. Santosh Yadav, son of Sri Sheo Prasad Yadav, resident of village-
Begumpur, P.S.- Ara Town in the district Bhojpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anita Kumari Singh

For the Opposite Party : Mr. Akbar Ali (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 03-02-2015 Petitioner is languishing in custody since
27.09.2013 in a case registered for the offences punishable
under Section 302/34 of the I.P.C and Section 27 of the Arms
Act.

It is alleged that the son of the informant
Aftab Alam was killed. This information was received by the
informant through his son and others and when he reached to
the P.O he found his son in a pool of blood. At the P.O the
informant came to know through the eye witnesses that Dipu
Sah, Tikal Sharma, Manna Rain, Hakim Rain and Mohan
Prasad Master came and made indiscriminate firing killing the
son of the informant.

It is submitted by learned counsel for the
petitioner that other brother of the victim being son of the
informant has not named this petitioner. It is further submitted
that the F.I.R named co-accused Mohan Prasad Master in his

confessional statement has not alleged any overt act against this petitioner.

It is submitted by learned A.P.P that statement of the eye witness Md. Tasleem has been recorded in para 20 of the case diary which suggests that firstly this petitioner made firing.

Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioner at present.

Accordingly the application is dismissed in connection with Ara Town P.S. Case No. 103 of 2013, pending in the Court of learned Chief Judicial Magistrate, Bhojpur at Arrah.

(Dinesh Kumar Singh, J)

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