

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27892 of 2015

Arising Out of PS.Case No. -143 Year- 2014 Thana -PHULWARIA District- BEGUSARAI

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1. Jwala Mishra Son of Nadali Mishra @ Harindra Mishra Resident of
village - Shokhara, P.S. Phulwaria, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. Jitendra Kumar Singh-I(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 16-10-2015

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

Petitioner seeks bail in connection with Fulwaria P.S. Case
No. 143 of 2014 registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly the husband of the informant was called and
taken away by the petitioner, co-accused Sudhir Mahto, Rohit
Mahto and two unknown at about 9.30 p.m. and then, at 10 p.m.
nearby person informed the informant that her husband has been
shot dead.

Submission is of false implication and there is no motive for the alleged occurrence. The police got recorded the confessional statement of the petitioner and without any cogent and legal evidence, he is suffering in custody since 29.09.2014.

Learned A.P.P. opposes the prayer of bail by submitting that prayer of bail of co-accused Sudhir Mahto has also been rejected by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, considering that the petitioner is named in the F.I.R. and that he and another called and took away the husband of the informant and just thereafter he was shot dead and, as such, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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