

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52324 of 2015

Arising Out of PS.Case No. -98 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

Bhagdeo Rai son of Jalandhar Rai resident of village - Khajbatti, P.S. - Bidupur, Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Sri Krishna Prasad Singh, Sr. Counsel
Mrs. Bela Singh

For the Opposite Party/s : Mr. Amitesh Kumar(APP)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-12-2015 Heard Sri Krishna Prasad Singh, learned senior counsel, who was assisted by Smt. Bela Singh, learned counsel for the petitioner and learned A.P.P.

The petitioner, who is in custody in connection with Bidupur P.S. Case No. 98 of 2014, registered for the offence punishable under Section 302 and other allied Sections of the Indian Penal Code and Section 27 of the Arms Act, has prayed for grant of bail.

It was submitted by learned senior counsel for the petitioner that from the F.I.R. it is evident that petitioner was not present at the place of occurrence, however, allegation was made against other named accused persons of indiscriminate firing in which one person died and only one injured. Only allegation

against the petitioner in the F.I.R. is that from inside jail telephonically has given threat for such an occurrence. Save and except the aforesaid material there is no other material to implicate the petitioner.

Learned A.P.P. has opposed the prayer for bail. He submits that petitioner is a habitual offender and besides this he is accused in other 14 serious cases. This fact has also been stated in paragraph no. 3 of the present petition.

In view of the facts and circumstances, particularly the fact that material has come that from inside jail the petitioner has threatened, I do not find it a fit case to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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