

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3393 of 2015

Arising Out of PS.Case No. -134 Year- 2014 Thana -MASRAKH District- SARAN

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Awdhesh Tiwary son of Late Sawalia Tiwary, Resident of Village - Harpur
Jan, P.S. - Mashrak, District - Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Mashrak
P.S. Case No.134 of 2014 registered for the offences punishable
under sections 341, 323, 307 and 504 read with 34 of the Indian
Penal Code.

According to the prosecution case, the petitioner is
alleged to have fired at the informant causing fatal injury which
was witnessed by several villagers. It has been contended that the
alleged place of occurrence is house of the petitioner and, hence,
the informant was aggressor in this case. The petitioner is in
custody since 23rd August, 2014 and the informant has sustained
only superficial injury.

Learned counsel for the State has opposed the prayer for bail. He has submitted that the informant of the case is an injured witness and the doctor who examined him has found multiple pellet injuries over right side of the chest of the informant which were grievous in nature.

Having regard to the facts and circumstances of the case, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer for bail is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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