

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37117 of 2015

Arising Out of PS.Case No. -155 Year- 2014 Thana -KARAI PARSURAI District- NALANDA
(BIHARSHARIFF)

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1. Brahmddeo Pandit, son of Manog @ Manogi Pandit, resident of village
Kamrathu, P.S. Karai (Parsurai), District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Das

For the Opposite Party/s Mr. Zainul Abedin(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 08.12.2015 Power is filed on behalf of the informant.

Heard learned counsel for the petitioner, learned Addl.
Public Prosecutor for the State as well as learned counsel for the
informant.

According to the prosecution case itself, while informant
along with wife and the deceased was going, a firing was made from
the house of the petitioner as a result whereof, deceased sustained fire
arm injury and he was immediately taken to hospital where he was
declared dead. The wife of the informant claimed to have seen the
petitioner making firing.

Learned counsel for the petitioner submits that none of the
person had seen who had made firing and the petitioner has been
implicated in this case on mere suspicion on account of village
politics.

Learned counsel for the informant submits that in course of

investigation, several witnesses supported the prosecution story and claimed to have seen the petitioner making firing.

It is surprising enough that statement of the informant's wife was not recorded by the Investigating officer in course of investigation but some witnesses claimed that it was the petitioner who opened firing causing death of the deceased.

Since petitioner appears to be the main assailant, I am not inclined to release him on bail and accordingly, his prayer for bail in connection with Karai Parsurai P.S. Case no. 155/2014 pending in the court of Addl. Chief Judicial Magistrate, Hilsa/concerned court stands rejected, at least, at this stage.

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(Hemant Kumar Srivastava,J)

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