

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38766 of 2014

Arising Out of PS.Case No. -161 Year- 2014 Thana -UDWANTNAGAR District- BHOJPUR

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1. Harendra Kumar Singh @ Sunil Singh, Son of Ram Layak Singh,
resident of village- Pachhmi Demha, Police Station- Udwanatnagar,
District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate.

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

3 20-01-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Harendra Kumar Singh @ Sunil Singh, in connection with Udwanatnagar Police Station Case No. 161 of 2014, under Sections 341/323/504/324/326/307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Perused the above application and materials on record.

Heard Mr. Sanjay Kumar, learned counsel for the petitioner, and Mr. Murlidhar, learned Addl. Public Prosecutor, appearing on behalf of the State. Heard also Mr. S. C. Mishra, learned Counsel for the informant.

Though the accused has been in custody since 07.05.2014, the only defence pleaded on his behalf is that he has been falsely implicated, because of the fact that he has lodged a first information report against the injured and others. However, the case diary was perused by the learned Court below, which reveals that the witnesses supported the prosecution's case that the accused-petitioner was the one, who shot by means of a fire-arm on the informant's husband, Bijendra Kumar, who happens to survive.

Considering the nature of incriminating materials available in the case diary against the accused above-named and the stage of investigation, this Court is of the view that at this stage of investigation, the accused above-named cannot be allowed to go on bail.

In view of the above and in the interest of justice, the prayer for bail is hereby rejected at this stage.

This Bail application shall stand disposed of accordingly.

(I. A. Ansari, J)

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