

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2097 of 2015

Arising Out of PS.Case No. -33 Year- 2013 Thana -MANSI District- KHAGARIA

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1. Vivek Yadav @ Vivek Kumar Yadav son of Jamindar Yadav, resident of
village- Ekeniya, P.S.- Manasi, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.
Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. C. Jawahar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 27.11.2014 in a case

registered for the offences punishable under Sections 302/34 of the

Indian Penal Code and 27 of the Arms Act.

There is specific allegation against the petitioner that

he shot fire on the deceased as a result of which deceased died

then and there.

The contention on behalf of the petitioner is that the

licensee gun of the petitioner was seized after the alleged

occurrence and the aforesaid gun was sent to ballistic expert for

examination and after examination it was found that no firing had

been made from the aforesaid gun. It is further contended by him that as a matter of fact, a marriage ceremony was going on in the house of the petitioner and in the aforesaid marriage ceremony someone killed the deceased.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Mansi P.S. Case No. 33 of 2013 pending in the court of Chief Judicial Magistrate, Khagaria stands rejected.

(Hemant Kumar Srivastava, J)

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