

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32525 of 2015

Arising Out of PS.Case No. -287 Year- 2014 Thana -BRAHMPUR District- BUXAR

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1. Ravindra Mishra @ Kuber Mishra S/O Ashok Mishra resident of village
+ P.O.- Yogiya, P.S.- Brahmpur, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Swaroop Dubey

For the Opposite Party/s : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 03-12-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 324, 326, 429, 307 and 302 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner along with several other accused persons about 24 named and 15-20 unknown persons committed crime killing and injuring the persons. Against the petitioner there is specific allegation that he shot fire of rifle causing death of Pradeep Yadav.

Submission is of false implication and that it is not possible to give such detail of crime and the informant has tried to implicate so many persons but as a matter of fact the mob committed the alleged crime. In course of investigation statements

of some of the witnesses were recorded under section 164 Cr.P.C. but those witnesses have not stated specifically and during investigation the police came to the conclusion that some unknown committed the alleged crime, the call details of mobile of the petitioner confirms that he was not present at the place of occurrence on that time and several persons have been granted bail and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that prayer for bail of co-accused Vivek Mishra @ Vivek Kumar Mishra has been refused vide Cr. Misc. No. 31198 of 2015 by order dated 15.10.2015 and the case of the petitioner is identical.

In the facts and circumstances as stated above, considering that against the petitioner there is specific allegation of causing death of Pradeep Yadav and as such this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Brahmpur P.S. Case No. 287 of 2014/ G.R. No. 2828 of 2014 pending in the court of C.J.M, Buxar.

(Jitendra Mohan Sharma, J)

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