

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25344 of 2015

Arising Out of PS.Case No. -166 Year- 2008 Thana -KHAIRA District- JAMUI

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1. MANOJ SAO @ BALLU SAO @ MANOT SAO son of Ramchani Sao
resident of village Ketaribank, Police Station Khaira, District Jamui

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-10-2015 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 302 and 34 of the I.P.C and section 27
of the Arms Act.

Allegedly, when the wife Mathi Devi @ Panwa Devi
and the daughter Pano Kumari were sleeping then the informant
heard the sound of firing and saw the FIR named accused persons
fleeing away including the petitioner and the petitioner was having
small arm and it is alleged that they have killed the wife of the
informant. The motive behind the occurrence is that the deceased
was practicing witch craft (Dyne).

Submission is of false implication and that there is no

eye witness of the occurrence. The occurrence is of dead night and no source of identification has been stated in the fardbeyan, it is not possible to identify the culprits and only due to enmity the petitioner and others have been named and during investigation some of the witnesses have stated regarding innocence of the petitioner and others, to which the learned A.P.P. opposes by submitting that the petitioner is the assailant and eye witness Pano Kumari who was sleeping with the deceased has stated that Manoj Sah shot her mother dead vide paragraph-10 of the case diary. Further witness Mina Devi has also identified the petitioner that he shot the deceased.

In the facts and circumstances as stated above, considering that the petitioner is assailant and as such this Court is not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with Khaira P.S. Case No. 166 of 2008 pending in the court of C.J.M. Jamui.

Abhay/-

(Jitendra Mohan Sharma, J)

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