

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16819 of 2015

Arising Out of PS.Case No. -61 Year- 2013 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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Nitish Kumar S/o Naresh Gope, Resident of Mohalla - Arwal Bigha, P.S. -
Tharthari, District - Nalanda (Biharsharif).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjayu Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-06-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Tharthari P.S. Case No. 61 of 2013 registered for
offences under sections 147, 148, 149, 302 and 307 of the Indian
Penal Code.

As per the allegation, the petitioner and other accused
persons were found in unlawful assembly and one of the members
of the accused persons, namely, Chandan Kumar son of Naresh
Gope fired upon the son of the informant whereupon he received
the bullet injury and died. The other accused persons including the
petitioner fired but the bullet did not hit the informant.

The counsel for the petitioner submits that there is no

specific allegation against the petitioner and so much so, he is in jail more than 1 ½ years.

In the first information report, there is a specific allegation against the petitioner and other accused persons to have fired from the gun.

At this stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this petition is rejected.

(Shivaji Pandey, J)

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