

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6388 of 2016

Arising Out of PS.Case No. -165 Year- 2015 Thana -WARISNAGAR District- SAMASTIPUR

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Ram Babu Paswan, Son of Mahavir Paswan, resident of village Jitwarpur,
Kanhaiya Chouk, P.S. Samastipur (M), District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Smt. Anuradha Singh, Advocate.

For the Opposite Party : Mr. Anant Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Warish
Nagar P.S. Case No. 165 of 2015 registered for the offences
punishable under Sections 393, 307/34 of the Indian Penal Code
and under Section 27 of the Arms Act.

Allegedly, unknown miscreants at the time of
committing loot, shot Arjun Sao resulting, he became seriously
injured and on the basis of self statement of S.I. Shekhar Prasad,
the case has been registered against unknown. During
investigation, the witnesses stated the name of the petitioner and
others that they were committing loot and when the businessman
Arjun Sao opposed, he was shot.

The submission is of false implication and that the petitioner has been made victim of police atrocity, he was not involved in the crime, witnesses have specifically stated that co-accused Sajjan Pasi shot the informant and as such, the petitioner deserves sympathetic consideration, as he is suffering in custody since 24.09.2015, to which the learned A.P.P. seriously opposes by referring paragraphs- 9, 10, 11, 12, 13 and 14 of the case diary, wherein eyewitnesses have stated the name of the petitioner and others and further Manoj Kumar Rai has also confessed his guilt stating the name of the petitioner. The petitioner has got criminal antecedent as he is involved in five more cases.

In the facts and circumstances stated above, considering that the petitioner has been identified by witnesses at the time of committing crime and further he has got criminal antecedent and as such, at this stage, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer of bail stands rejected.

(Jitendra Mohan Sharma, J.)

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