

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7263 of 2016

Arising Out of PS.Case No. -29 Year- 2015 Thana -AANTI District- GAYA

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1. Prakash Kumar @ Om Prakash Son of Krishna Singh Resident of village
- Kabar, Police Station Anti, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Uday Chandra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

7 22-06-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences

punishable under section 302/34 of the I.P.C and section 27 of the

Arms Act.

Allegedly, the petitioner and co-accused Ranjeet

Kumar shot Mahesh Singh, the brother of the informant, causing

injury below his chest and thereafter the petitioner and other co-

accused fled away.

Submission is of false implication and that admittedly

there was land dispute, there was no intention to commit murder,

the deceased might have been killed by some one else and due to

the land dispute the petitioner and others have been implicated, co-accused Shailesh Kumar and Bigan Kumar @ Jitendra Kumar have been allowed bail and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 27.08.2015, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is the assailant, in the postmortem report also two fire arm entry wounds have been found on vital part of the deceased.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Anti P.S. Case No. 29 of 2015 pending in the court of C.J.M. Gaya.

(Jitendra Mohan Sharma, J)

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