

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45374 of 2015

Arising Out of PS.Case No. -134 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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1. Kundan @ Ajay, son of Late Kumar Amarnath, Resident of Mohalla-Shitaltola, P.S.- Ara Town, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 24-02-2016 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 offence punishable under section 302/34 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner fired twice upon Kumar Nishant Akela @ Chandan, the son of the informant, resulting he died when he was being brought to Patna for treatment.

Submission is of false implication and that the informant only with a view to implicate the petitioner has maneuvered the story, the manner of occurrence as alleged by the informant is not the correct version, the alleged occurrence

allegedly took place on the main road but only family members of the informant are the witnesses, the confessional statement of the petitioner reveals the story otherwise and further the inquest report and the postmortem report are also not consistent, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that the petitioner is the assailant.

In the facts and circumstances as stated above, considering that the petitioner is the assailant, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Ara Town P.S. Case No. 134 of 2015 pending in the court of C.J.M. Bhojpur at Ara.

However, let the trial be expedited.

(Jitendra Mohan Sharma, J)

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