

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48831 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

=====

1. Mithilesh Kumar S/o Sirish Mandal, resident of village - Manjhli, P.S. - Sultanganj, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Bharat Bhushan (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Sultanganj P.S. Case No. 34 of 2015 registered for the offences punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, when the informant was coming and reached near the house of Binay Mandal then the petitioner armed with pistol came there and fired on him causing firearm injury on his back, resulting, he fell down and died at the spot.

Submission is of false implication and that there is no independent witness of the occurrence, post mortem report does not corroborate the prosecution version vide annexure-3 and as

such the petitioner who is suffering in custody since 11.03.2015 deserves sympathetic consideration to which learned APP opposes.

In the facts and circumstances stated above, considering that the petitioner is the assailant, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--