

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55006 of 2015

Arising Out of PS.Case No. -228 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

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Ramadhar Yadav, Son of Late Sita Ram Yadav, Resident of Village Chawrasani, P.S. Udwanthnagar, District - Bhojpur at Ara.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Satyendra Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is an accused in connection with Udwanthnagar P.S. Case No. 228 of 2015 registered under Sections 147, 148, 149, 341, 504 and 307 of the Indian Penal Code and Section 27 of the Arms Act pending in the court of Chief Judicial Magistrate, Bhojpur, Ara.

The accusation is that in course of opening the door in the lane by the informant, Raj Bihari Singh, the petitioner and six others reached there, where co-accused, Mahendra and Rajendra stated that why did open the door in the lane side. On which, informant made protest and told that the matter has been settled in the Panchayat. At that time, petitioner shot fire through

Rifle at Hare Krishna Singh, causing injury at his belly whereas co-accused, Sanjay Singh, shot fire through pistol at Ram Bhagwan Singh causing injury at his right arm.

Learned counsel for the petitioner submits that petitioner is the son-in-law of co-accused, Mahendra Singh, so he has falsely been implicated in this case. It is further submitted that while the firearm injuries are said to be found at Hare Krishna Singh caused by this petitioner through Rifle but he has not been examined by the Investigating Officer and the charge sheet has already been submitted by the police, which would appear from the case diary.

Learned counsel for the informant opposed the prayer for bail of the petitioner and submits that lacerated wound, i.e., 1.1/2" X 1.1/2 X 2" was found in possession of Hare Krishna Singh, which is burn won mark on lacerated.

Taking into consideration the facts and circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer for bail of the petitioner is rejected.

(Rajendra Kumar Mishra, J)

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