

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9262 of 2016

Arising Out of PS.Case No. -372 Year- 2014 Thana -BATHNAHA District- SITAMARHI

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Dilip Choudhary @ Dilip Singh, Son of Chandra Dev Choudhary, Resident
of Village - Koari, P.S. - Bathnaha, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashhar Mustafa

For the Opposite Party : Mr. Dr.Kr.Uday Pratap(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with
Bathnaha P.S. Case No. 372 of 2014, registered under Section
302/120(B)/34 of the Indian Penal Code pending in the Chief
Judicial Magistrate, Sitamarhi.

The accusation is that on the way Pawan Kumar
Singh, son of the informant, was shot fired by the petitioner and
one Subodh Choudhary, who died on the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. The
petitioner has been falsely implicated in this case and he is in
custody since 21.01.2015.

Learned counsel for the State vehemently opposed

the prayer of the petitioner and submits that there is direct allegation against the petitioner. The postmortem report vide para 74 of the case diary shows that deceased died due to fire arm injury.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner, above named, is rejected

(Rajendra Kumar Mishra, J)

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