

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10083 of 2016

Arising Out of PS.Case No. -228 Year- 2015 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Umesh Paswan son of Satendra Paswan, resident of village- Kairi, P.S.-
Noor Sarai, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad, Advocate
Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-04-2016 Heard the learned counsel for the petitioner, the

learned A.P.P. representing the State and the learned counsel

for the informant.

The petitioner seeks bail in connection with

Noorsarai P.S. Case No. 228 of 2015 registered for the offences

punishable under Sections 147, 148, 149, 341, 323, 504, 302,

448 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, co-accused Binesh Paswan shot Nishu

Kumari and further, the petitioner also opened fire which hit her

and Nishu Kumari succumbed to the injuries.

Submission is of false implication and that the

name of the petitioner has been taken subsequently, earlier only

allegation against Binesh Paswan has been made and the petitioner is suffering in custody since 23.08.2015 whereas co-accused Satendra Paswan has already been allowed bail.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that two fire arm injuries have been found on the person of the deceased and, as such, the petitioner is also one of the assailants.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail at this stage, and accordingly, his such prayer stands rejected in connection with Noorsarai P.S. Case No. 228 of 2015 pending in the court of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif.

(Jitendra Mohan Sharma, J)

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