

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11938 of 2016

Arising Out of PS.Case No. -59 Year- 2015 Thana -BHANGWANPUR HAT District- SIWAN

Mukesh Pal @ Mukesh Kumar S/o - Mokhtar Pal @ Mokhtar Prasad R/o -
Village - Chorauli, P.S. - Bhagwanpur, District - Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-05-2016 Heard the learned counsel for the petitioner and the
learned A.P.P representing the State.

The petitioner seeks bail in connection with
Bhagwanpur Hat P.S. Case No. 59 of 2015 registered for the
offences punishable under Section 302 of the Indian Penal Code
and Section 27 of Arms Act.

Allegedly, the petitioner took away Sanjeev Kumar
after calling him from his house and at a distance at Tinmuhani,
the petitioner shot him. When Sanjeev Kumar, the nephew of the
informant was brought for treatment, he succumbed to injury.

Submission is of false implication and that the
informant is not an eye witness regarding the killing of the
deceased. The petitioner has been made victim of circumstances

and as such, he deserves sympathetic consideration as he is in custody since 04.09.2015.

The learned A.P.P. seriously opposes the prayer of bail by submitting that eye witnesses vide Para 20 and 25 have seen the petitioner killing the deceased and further other witnesses have seen the petitioner fleeing away after the occurrence and he has got criminal antecedent also.

In the facts and circumstances stated above considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Bhagwanpur Hat P.S. Case No. 59 of 2015 pending in the Court of learned Chief Judicial Magistrate, Siwan.

(Jitendra Mohan Sharma, J)

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