

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14233 of 2016

Arising Out of PS.Case No. -399 Year- 2014 Thana -MANER District- PATNA

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Sanjay Yadav @ Sanjay Rai S/o Junarabi Rai resident of village -
Chhihattar, P.S. Maner, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Ghanshyam Tiwary, Sr. Advocate.
For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP.
For the Informant : Mr. Manoranjan Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 17-05-2016 Heard the learned counsel for the petitioner as well
as the learned A.P.P for the State.

The petitioner seeks bail in connection with Maner P.S. Case No. 399 of 2014 registered for the offences punishable under Sections 147, 148, 149, 323, 341, 379, 380, 307, 452 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner, other F.I.R. named persons and fifteen unknown surrounded the house of the informant and after entering into the house started committing loot and specific allegation against the petitioner is that the petitioner shot fire which hit in the chest of the informant and Kameshwar Rai and Ranjeet Kumar also opened fire which hit the informant and further the petitioner snatched gold chain.

Submission is of false implication, the prosecution

story appears improbable and unbelievable how the informant has alleged that the accused persons came with stolen gun, no bullet injury has been found on the person of the informant rather multiple pellet shaped opacities were seen. Other some co-accused have been allowed pre-arrest bail and the petitioner is suffering in custody since 09.02.2016.

The learned APP duly assisted by the learned counsel for the informant seriously opposes the prayer of bail by submitting that the petitioner has caused injury on the vital part of the informant and the doctor has also found the said injury which is mentioned in the injury report.

In the facts and circumstances stated above, considering the specific allegation against the petitioner and further his criminal antecedent, at present, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Maner P.S. Case No. 399 of 2014 pending in the Court of learned Judicial Magistrate-1st Class, Danapur.

However, the petitioner may renew his prayer of bail after remaining nine months in custody from the date of his remand.

(Jitendra Mohan Sharma, J.)

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