

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1342 of 2016

Arising Out of PS.Case No. -7 Year- 2015 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

1. Mahesh Bhagat, S/o Late Bahadur Bhagat, Resident of Village-
Lohargawa, P.S.- Madhuban, Distt- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore

For the Opposite Party/s Mr. Abhay Kumar No. 1 (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 18.01.2016 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Initially, case was registered under section 307 of the Indian Penal Code on the basis of fardbeyan of the injured- Bachchi Devi who subsequently, died and, therefore, statement of Bachchi Devi is amount to her dying declaration.

There is specific allegation against the petitioner that he opened fire on the deceased who happens to be his wife and, therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial no. 354/2015 arising out of Motihari Rail P.S. Case no. 07/2015 pending in the court of learned Addl. Sessions Judge II, West Champaran, Bettiah stands rejected.

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(Hemant Kumar Srivastava,J)

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