

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42872 of 2016

Arising Out of PS.Case No. -95 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

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Samid Mian @ Md. Samid Son of Nasir Mian Resident of Village-
Gamhariya, Police Station- Murliganj, District Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Parmanand Kumar, Advocate.
For the Opposite Party : Mr. Amit Kumar Rakesh, APP.
For the Informant : Mr. Ansul, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-12-2016 Heard both sides.

The petitioner seeks bail in Murliganj P.S. Case No. 95 of 2014, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named the petitioner along with 18 other accused persons and alleged that the accused persons made indiscriminate firing. There is specific allegation against the petitioner that he fired which hit on the chest of Sadre Alam who died. Md. Murtaza also fired which hit on the leg. Sikandar, son of Sadre Alam also saw the petitioner firing at him.

Learned counsel for the petitioner submits that there is admitted land dispute between the parties. The petitioner is



Mukhiya of his family and that is why the petitioner has falsely been implicated in the case. The informant wants to grab the land of the petitioner.

On the other hand Mr. Ansul, learned counsel for the informant as well as learned APP opposed the prayer for bail.

There is specific allegation against the petitioner that it was he who fired on the chest of Sadre Alam who died on the spot. The post-mortem report also shows wound of entry on the scapular region.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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