

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37444 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -DALSINGHSARAI District- SAMASTIPUR

Murari Choudhary Son of Late Raj Narayan Choudhary Resident of
Mohalla - Ward No. 14 Loknathpur, Police Station Dalsinghsarai, District
Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Advocate

For the Opposite Party/s : Mr. (Dr.) Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-09-2016

Heard learned counsel for the petitioner

and learned APP for the State.

Petitioner apprehends arrest in
connection with Dalsinghsarai P.S. Case No. 12/16 for
offences alleged under Sections 302/34 of the Indian Penal
Code and under Section 27 of the Arms Act.

Allegation is that on the orders of
petitioner and other co-accused, one Sanjeet Kumar
Choudhary shot at the husband of the informant on his left
chest resulting in his death and on hulla made by her,
villagers assembled there and all the accused persons fled
away.



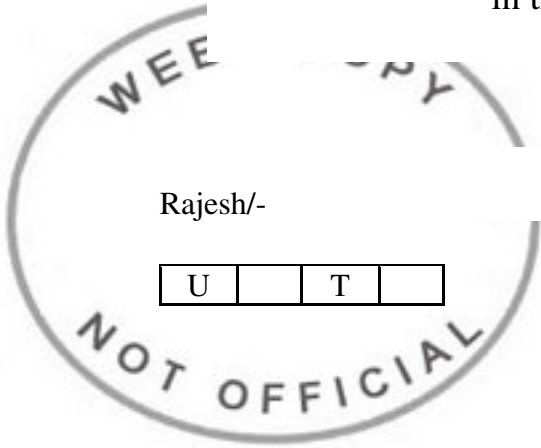
It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case due to land dispute. In fact, he submits that both sides are next door neighbours and are on inimical terms and the dispute is with regard to land for which Title Suit No. 82/15 is also pending between the parties. He submits that there is no allegation against the petitioner of firing, which is on one Sanjeet Kumar Choudhary.

However, learned counsel appearing behalf of the informant submits that earlier also there was a case under Section 307 I.P.C. against the petitioner and his family members in which petitioner along with his family members had also caused injury. He submits that the petitioner along with other co-accused caught hold of the informant's husband and one of the co-accused fired resulting in death of the informant's husband.

Learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the allegations against the petitioner, I am not inclined to grant him privilege of bail in

connection with Dalsingsarai P.S. Case No. 12/16, pending
in the court of A.C.J.M, Dalsingsarai, Samastipur.



(Nilu Agrawal, J.)