

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46731 of 2015

Arising Out of PS.Case No. -16 Year- 2003 Thana -KHARAGPUR District- MUNGER

Binod Khirhari, son of Baleshwar Khiurhari, resident of village-Bhudharni,
P.S. Kharagpur, District-Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 15-02-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions
Trial No.132 of 2015, arising out of Kharagpur P.S. Case No.16
of 2003/G.R. No.84 of 2003 registered under Sections 302, 307
and 114/34 of the Indian Penal Code besides Section 27 of the
Arms Act, pending in the court of the S.D.J.M., Munger.

The accusation is that Shashi Bhushan Khirhari, the
brother of the informant Sachidanand Khirhari, was surrounded by
the petitioner and other accused, named in the F.I.R., and on the
order of Subodh Khirhari, co-accused Sunil Khirhari shot fire on
the temporal region of Shashi Bhushan Khirhari and this petitioner
also caused injury through pistol near his cheek. Co-accused

Subodh Khirhari also shot fire at Shashi Bhushan Khiurhari at that time.

Learned counsel appearing on behalf of the petitioner submits that the informant has not stated about firing by this petitioner in his restatement as it is detailed in paragraph-3 of the case diary that he supported the prosecution case.

Having regard to the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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