

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.901 of 2016

Arising Out of PS.Case No. -173 Year- 2014 Thana -CHAPRA TOWN District- SARAN

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1. Banti Rai S/o Chhathi Lal Rai resident of Village- Hussey Chapra Ahir
Toli, P.S. Chapra Town, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 11-01-2016 Vakalatnama is filed on behalf of the informant

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The accusation against the petitioner is that he shot fire
causing firearm injury on the temporal region of the deceased and
after that one co-accused Manoj Rai also opened fire.

Submission on behalf of the petitioner is that the
informant is not an eye witness of the alleged occurrence because
the post mortem report reveals that only one firearm injury was
found on the person of the deceased.

Learned counsel for the informant points out that no
doubt, there is allegation of firing against co-accused Manoj Rai
also but there is nothing in the first information report to show that

firing of Manoj Rai also hit the deceased and, therefore, it is quite natural that only one firearm injury was found on the person of the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Chapra Town P.S.Case No. 173 of 2014 ,pending in the court of Chief Judicial Magistrate, Saran at Chapra stands rejected.

(Hemant Kumar Srivastava, J)

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