

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32681 of 2016

Arising Out of PS.Case No. -201 Year- 2014 Thana -KARPI District- JEHANABAD

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Chhote Sharma son of Premdhan Sharma, Resident of Village - Sonbhadra,
P.S. - Karpi, District - Arwal

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Karpi P.S. case No.201 of 2014 instituted for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learned Chief Judicial Magistrate, Arwal (Jehanabad).

The prosecution case, in brief, is that on the alleged date and time of occurrence while the informant along with his family members were talking at the door, in the meantime 8-9 persons came there and ordered to kill them, on which co-accused Vidhayak Sharma had caught hold of his father and the petitioner had opened fire from his pistol, which hit in right side of chest of his father leading to his instantaneous death.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 4.8.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is admitted land dispute between the parties. The source of identification has been doubted.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. Specific allegation of firing upon the deceased has been alleged against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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