

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29788 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Ashok Mishra, son of Saryu Mishra, Resident of Village- Sahapur, Police
Station-Nawhata, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 341, 323, 504, 509, 302 and 120B of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused persons had fired shots upon son of the informant, who in course of treatment succumbed to the injuries.

It has been submitted on behalf of the petitioner that he is in custody since 6.2.2016. Chargesheet has been submitted against the petitioner. No allegation of tampering of witnesses is alleged against the petitioner. Petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. Three persons are alleged to have fired upon the deceased. Petitioner is also one of the assailants. Witness at para-16 of the case diary has also supported the said allegation. Post mortem examination report also supports the allegation made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

The learned trial court, Rohtas at Sasaram, is directed to take all necessary steps to expedite the trial in connection with Nawhata P. S. Case no. 5 of 2016.

(Sudhir Singh, J)

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