

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1421 of 2016

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1. Babulal Prajapati S/o Dadan Prajapati @ Dadan Kumhar, resident of
Village- Diwane, P.S.- Chand, District- Kaimur (Bhabua). Petitioner
Versus
1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 14-03-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Chand P.S.
Case No. 39 of 2015 registered for the offences punishable under
Sections 302, 147, 148, 149 of the Indian Penal Code and Section
27 of the Arms Act.

Allegedly, the petitioner shot Ajit Kumar Patel, the
nephew of the informant, and further other co-accused also opened
fire with pistol and with rifle, resulting, Ajit Kumar Patel fell
down and he died in Sadar Hospital, Bhabhua. It is claimed that
Ajit Kumar Patel died due to firing made by the petitioner.

Submission is of false implication and that the deceased
was himself a veteran criminal, he was involved in several cases,
the manner of occurrence as alleged is not the true version, during
investigation also eye witnesses have stated that all opened fire

and as such there being general and omnibus allegation the petitioner deserves sympathetic consideration to which learned APP opposes by submitting that in the first information report as well as in further statement the informant has alleged that the petitioner shot Ajit Kumar Patel.

In the facts and circumstances stated above, considering that the petitioner is the assailant, at this stage, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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