

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8857 of 2016

Arising Out of PS.Case No. -217 Year- 2015 Thana -TEGHRA District- BEGUSARAI

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Amit Kumar @ Mannu Kumar @ Mannu @ Amit Kumar Mannu Son of
Sri Shiv Shambhu Rai, Resident of Village - Gaura, P.S. - Teghara, District
- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate
For the Opposite Party : Mr. Md.Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

9 08-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with **Teghra**
P.S.Case No.217 of 2015 pending in the Court of **CJM,**
Begusarai registered for an offence under Sections 302/34 and
120B of the IPC and Section 27 of the Arms Act.

As per the prosecution case, it is alleged by the
informant that on 16.07.2015 at about 2.30 (AM), the informant
was sleeping in his verandah along with other family members in
the meanwhile dog started barking on which the informant and his
members woke up and saw that their villagers as named in the FIR
along with two unknown persons abusing the informant and also
assaulted the informant and also fired from his pistol which hit by

the side of chest of Manohar Kumar, the grand-son of the informant fell down and thereafter, the son of the informant died on the spot.

Learned counsel for the petitioner submits that the petitioner is in custody since 23.07.2015. Charge-sheet has been submitted in the case. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner has falsely been implicated in the present case. The father's name has been mentioned as Shambhu Shankar Rai while the correct name of the father of the petitioner is Shiv Shambhu Rai.

On behalf of the State, it is submitted that the petitioner is named in the FIR and there is direct allegation against the petitioner for firing upon the deceased. Petitioner has got five criminal cases pending against him.

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

Anyhow, the court below is directed to expedite the trial.

(Sudhir Singh, J)

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