

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22876 of 2016

Arising Out of PS.Case No. -141 Year- 2015 Thana -DULHIN BAZAR District- PATNA

1. Sunil Vishwakarma, son of Prem Vishwakarma, resident of village and P.S. Dulhin Bazar, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-07-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Dulhin Bazar P.S. Case No. 141 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, Shyam Yadav gave order to shoot Uday Kumar and then the petitioner took out pistol from his waist and shot Uday Kumar, the son of the informant and thereafter accused persons fled away. Uday Kumar was brought to Primary Health Center, Dulhin Bazar where he was declared dead.

Submission is of false implication, the prosecution story appears not probable and reliable, the petitioner is in custody

since 30.09.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence

The learned APP opposes the prayer of bail by submitting that the petitioner is the assailant and the postmortem report is consistent with prosecution version.

In the facts and circumstances stated above, considering that petitioner is the assailant and, as such, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Dulhin Bazar P.S. Case No. 141 of 2015 pending in the Court of learned Judicial Magistrate, 1st Class, Danapur, Patna.

(Jitendra Mohan Sharma, J)

sushma/-

U		T	
---	--	---	--