

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21460 of 2017

Arising Out of PS.Case No. -232 Year- 2016 Thana -DUMRAUN District- BUXAR

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1. Nilesh Kumar @ Khakhanu Son of Shivjee Rai, Resident of Village-
Chilhari, P.S. Dumraon (Naya Bhojpur), District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate

For the Opposite Party/s : Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-06-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody in connection
with Dumraon (Naya Bhojpur) P.S. Case No. 232 of 2016 for the
offences punishable under Sections 147/148/149/307/302 of the
Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he shot
fire-arm causing injury to deceased Mritunjay Kumar.

Submission of the petitioner is that there is
bonafide land dispute as the petitioner's side is purchaser of the
same land from the real owner and civil suit is going on for the
same. Moreover, The I.O. has not found any sign of ploughing
etc. at the alleged place of occurrence. Petitioner is in custody



since 02.09.2016. Charges have already been framed in the case.

Considering the fact that the petitioner is main assailant, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is refused. If the trial is not concluded within nine months from the date of receipt of a copy of this order, the petitioner may renew the prayer for bail before the learned trial Court itself.

(Birendra Kumar, J)

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