

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41727 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -PARWATTA District- KHAGARIA

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1. Bikash Kumar @ Bikash Sahni S/o Fuldeo Sahni Resident of Village -
Kulhariya, P.S. - Parbatta, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The Petitioner seeks regular bail in connection with S.C.
No. 389 of 2016 arising out of Parbatta P.S. Case No. 185 of
2016, G.R. No. 1702A of 2016 for offences alleged under Sections
302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that
while she with her husband were coming home at about 9.00 pm
five persons including the petitioner intercepted and surrounded
her husband and the petitioner fired at the temporal region of her
husband and other three accused persons who were also armed,
tried to take away the dead body by motorcycle. The cause of
dispute is that there was a dues of Rs. 17,000/- on the petitioner to



be paid to the deceased husband of the informant, but was being avoided on one pretext or the other.

It has been submitted by the learned counsel for the petitioner that he is innocent and falsely been implicated in the aforesaid case. He submits that all the other accused persons have been granted privilege of bail by the coordinate Benches of this Court and the allegation is of firing by other co-accused also. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. The petitioner is languishing in custody since 16.06.2017.

However, learned APP for the State opposes the prayer for bail stating therein that there is specific allegation of hitting at the temporal region in front of the left ear of the deceased against the petitioner.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage.

(Nilu Agrawal, J)

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