

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42810 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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1. Rakesh Kumar Singh son of Late Nagendra Singh resident of village -
Mejorganj, P.S. - Mejorganj, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Mejarganj P.S.
Case No. 159 of 2016 for offences punishable under Section
302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he was at the construction of bridge site, three persons
in a motorcycle came and asked for Munsii and when the Munsii
Dharmvir Singh came, all the three persons started indiscriminate
firing on him, who succumbed to the injury and they also fired on
the informant but he ran towards Jungle.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report and has been falsely implicated in this case. He submits that his name surfaced during investigation and on the basis of suspicion, he has been made accused. He further submits that no T.I. parade has been done so far and the petitioner is languishing in judicial custody since 20.11.2016

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is an accused in as many as 13 cases and he submits that he was a member of the gang and demands rangdari.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner and accordingly, his prayer for bail stands rejected in connection with Mejarganj P.S. Case No. 159 of 2016 pending before learned Additional Chief Judicial Magistrate, Sitamarhi.

However, the petitioner may renew his prayer for bail after nine months if trial is not concluded by that time.

(Nilu Agrawal, J)

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