

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47916 of 2016

Arising Out of PS.Case No. -87 Year- 2014 Thana -RAMGARH District- BHABHUA (KAIMUR)

Rakesh Kr. Singh @ Mus Singh, S/o late Sujan Singh, R/o Vill. Deohalia,
P.S. Ramgarh, Dist. Kaimur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 30-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Ramgarh
P.S. Case No. 87 of 2014 registered under sections 302/34 of the
I.P.C. and 27 of the Arms Act pending in the Court of C.J.M.,
Kaimur at Bhabua and later on, 25(1-b)A, 25, 26 of the Arms Act
was added.

The allegation is of committing murder of the brother
of the informant by the petitioner and other co-accused persons.

Submission is that the name of the petitioner has
been transpired in this case only on the basis of suspicion and also
there is no eye witness of the alleged occurrence.

Learned A.P.P. appearing on behalf of the petitioner
opposed the prayer of the petitioner with submission that the



clothes, country made pistol and parts of motorcycle, recovered at some distance of the place of occurrence, were identified to be of this petitioner by the material witnesses, whose statements were recorded in paragraph nos. 25 and 26 of the case diary, shows the involvement of this petitioner having hand in the murder of brother of the petitioner.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

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