

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55430 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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1. Ajay Prasad, son of kailash Prasad, resident of village- Tribhuwan
Bigha, P.S.- Tharthari, District- Nalanda Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Sidhendra Narayan Singh, Adv.

For the Opposite Party : Mr. Sunil Kumar Pandey, APP 141

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-02-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 147, 148, 149, 504, 323, 324, 307 and 302
of the Indian Penal Code and 27 of the Arms Act.

According to first information report, the petitioner
fired with rifle causing injury at the chest of Kameshwar Prasad,
who succumbed to injury.

Submission of the petitioner is that the perusal of the
case diary would reveal that no eye witness supported the
statement of the informant rather evidence came that for dispute
relating to cutting of ridge firing and counter firing took place and
both sides sustained fire arm injury. However, no specific
allegation had been levelled by any other witness that firing of this
petitioner has caused death of Kameshwar Prasad.

Considering the aforesaid material, I am not inclined
to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is **refused**.

(Birendra Kumar, J)

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