

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10876 of 2017

Arising Out of PS.Case No. -340 Year- 2016 Thana -CHAPRA TOWN District- SARAN

Mintu Giri Son of late Badri Narayan Giri Resident of Village- Arya Nagar,
Giri Tola, P.O. Sahebganj, P.S. Town Thana, District- Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Giri

For the Opposite Party/s : Mr. Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 28-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is accused in connection with Chapra
Town P.S. Case No. 340 of 2016 registered under sections 147,
148, 149, 341, 323, 307, 302 and 504 of the Indian Penal Code.

Accusation is that nine persons named in the FIR
including the petitioner variously armed with knife, gun, sword
and stick came at the land of the informant and forcibly started
constructing boundary wall. When the informant and his father
made protest, co-accused Chintu Giri caused lathi injury on the
head of the informant as a result of which he fell down and when
the father of the informant rushed to save him, this petitioner shot
at the father of the informant who fell down and died later on.



Learned counsel appearing on behalf of the petitioner submits that it is alleged in the FIR that the petitioner fired at the deceased from back but the firearm injury is found on the chest of the deceased. Further submission is that in fact at the time of occurrence Dheeraj Giri and Jitu Giri came with gun and rifle and started firing then Rabindra Giri (deceased) tried to snatch the gun in which he sustained firearm injury.

Having considered the facts and circumstances of the case and nature of the allegation as made against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail is rejected.

(Rajendra Kumar Mishra, J)

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