

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35845 of 2017

Arising Out of PS.Case No. -215 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Suraj Kumar Son of Kali Das, Resident of Ward No. 36, Tiwari Tola,
Mithanpura, P.O. Ramna, Police Station- Mithanpura, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-08-2017 Heard the parties.

This application is for grant of regular bail in connection with Town P.S.Case No.215 of 2017 dated 7.4.2017 (G.R.No.1437 of 2017), registered for the offences punishable under Section 394 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the F.I.R. and later on his name transpired during the course of investigation and allegation as per F.I.R. is that when the brother of the informant was coming from Autobike along with the bag having cash, some accused persons fired on him and snatched away bag.

Submission of the learned counsel for the petitioner is that he is not named in the F.I.R. and later on he has been named



by one witness, naming himself to be pillow-rider of the deceased though no such statement has been made in the F.I.R. It is further submitted that the petitioner has been implicated after a thought in this case and though he is accused in four other cases also but in all those cases, he has been remanded only and he is not named in the F.I.R. Further submission is that the petitioner is in custody since 25.4.2017.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that one of the witnesses has named this petitioner.

Having heard both sides and in view of allegation in the F.I.R. as well as identification of the petitioner by one witness, I am not inclined to grant bail to the petitioner, as such the prayer for bail of the petitioner is rejected.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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