

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55488 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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1. Rupesh Yadav Son of- Shatrughan Yadav, Resident of village-
Bhajanpatti, P.S.- Saur Bazar, District - Sahara

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-02-2017 Heard the parties.

This is an application for the offence under Sections 307,459, 460, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act in connection with Saur Bazar Police Station Case No.40 of 2016

It is submitted on behalf of the petitioner that there is delay in filing the F.I.R. Further, there is no source to show the light at the place of occurrence, as such the claim to identify the petitioner by the informant is doubtful and further stated that in the F.I.R., there is omnibus allegation against four accused persons, whereas the informant, in his statement, has taken the name of this petitioner for firing but the other witnesses have not stated so and the petitioner is in custody since 17.08.2016.



Heard learned A.P.P. also.

Having heard both sides. In view of the fact that the informant, who is injured, has himself stated that due to firing of the petitioner, he succumbed injury, I am not inclined to grant bail to the petitioner at this stage, however, the petitioner may renew his prayer for bail after framing of the charge in this case.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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