

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54961 of 2017

Arising Out of PS.Case No. -364 Year- 2017 Thana -DANAPUR District- PATNA

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Mahesh Kumar, Son of Rajdeo Singh, Resident of Village- Mainpura,
Police Station- Danapur, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mrs. Veena Rani Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection
with Danapur P.S. Case No. 364 of 2017 registered under
Sections 341, 342, 323, 307 and 504 read with 34 of the Indian
Penal Code and Section 27 of the Arms Act later on Section 302
was added.

It is submitted by the learned counsel for the
petitioner that though the petitioner is named in the FIR with
specific allegation, in course of investigation witnesses have not
supported the allegation as against the petitioner.



On the other hand, learned counsel appearing for the informant vehemently opposed the application for grant of pre-arrest bail to the petitioner. He submitted that the informant has fully supported his version in his subsequent statement and, apart from the informant, in paragraph no. 32, one Rajeev Ranjan has also supported the allegation that the petitioner was one amongst the miscreants present at the place of occurrence.

Regard being had to the facts and circumstances of the case as also the fact that as the petitioner is alleged to be one amongst the miscreants present at the place of occurrence, who opened fire causing injury to two persons out of whom one died, I am not inclined to grant him pre-arrest bail. The application is rejected.

(Ashwani Kumar Singh, J.)

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