

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53182 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -SIKARHATA District- BHOJPUR

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1. Benkatesh Rai @ Benkatesh Roy @ Binkatesh Ray, S/o Kapil Ray @ Kapil Muni Ray, resident of Village Nirbhay Dihra P.S. Sikrahata, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 17-01-2017

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks bail in Sikarahatta (Sikrahata) P.S. Case No.44 of 2016 instituted for the offence under Section(s) 307 Indian Penal Code and Section 27 of the Arms Act pending before the Sub-Divisional Judicial Magistrate, Bhojpur.

It is alleged that on the date of occurrence on account of dispute in Panchayat election the petitioner fired from his *Desi Katta* on the Informant, who received injury on left shoulder from behind. It is further alleged that Vinod Rai also fired on the wall of the house and Chote Rai fired in the air.

Case Diary along with Injury Report has been received.



The doctor has found one fire arm injury on left scapular region of back of chest, grievous in nature.

Since there is direct allegation against the petitioner of causing fire arm injury, which has been found to be grievous in nature, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer of the petitioner for bail is rejected. He may renew his prayer after six months if there is no substantial progress in the trial.

(Sanjay Priya, J)

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