

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36048 of 2017

Arising Out of PS.Case No. -336 Year- 2016 Thana -PIRO District- BHOJPUR

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1. Shashi Bhushan Rai Son of Chandra Hansh Rai, Resident of Village-
Deochanda, P.S.-Piro, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 04-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
16.02.2017 in connection with Piro P.S. Case No. 336/16 for
offences punishable under Section 302 and other allied Sections of
the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that the petitioner along with other co-accused shot dead her son.
Earlier because of land dispute the husband of the informant was
also given poison and had been killed by the petitioner and other
co-accused for which they had threatened to withdraw the said
case.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that there was no land dispute between the informant's deceased husband and the petitioner, in other case final form was submitted and petitioner was not sent up for trial. He further submits that independent witnesses have not supported the presence of the petitioner at the place of occurrence.

However, learned APP for the State opposes the prayer for bail stating therein that on the sound of gun shot the informant came out of her room and saw the petitioner and other co-accused with gun in their hands. He further submits that they had gone in the room of the informant's son and killed him.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Piro P.S. Case No. 336/16, pending in the court of learned Addl. Chief Judicial Magistrate-I, Bhojpur at Ara.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

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