

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1575 of 2017

Arising Out of PS.Case No. -43 Year- 2015 Thana -PIRI BAZAR District- LAKHISARAI

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1. RAJIV SAH @ RAJIV SAO son of Lachho Saw resident of Village Ram Nagar, P.S. Lakhisarai, District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

The petitioner seeks bail in connection with Piri Bazar P.S. Case No. 43/2015, registered for the offences punishable under Sections 147, 148, 149, 302, 341, 323, 324 and 326 of the Indian Penal Code and Section 27 of the Arms Act and Sections 10, 13, 16, 17, 18, 20, and 23 of U.A.P. Act.

Allegedly, the petitioner and other four co-accused were identified by the informant who had come 20-25 in number and had killed Makri Kora and Laxman Kora and further they left Naxali pamphlets.

Submission is of false implication and that the petitioner has wrongly been named due to dispute with the police. No



parentage has been given. It is not possible that in the night at 12 O'clock the informant will identify the petitioner out of 20-25 Naxallites and as such the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner is named in the FIR and he killed two persons only on the ground that they were police spy.

In the facts and circumstances, at present I am not inclined to enlarge the petitioner, above named, on bail. Accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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