

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17006 of 2017

Arising Out of PS.Case No. -163 Year- 2014 Thana -PHULWARIA District- BEGUSARAI

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1. Jitendra Mishra @ Karu Mishra, S/o D.B. Mishra, R/o Village- Sokhara
Tiwari Tola, P.S.- Phulwaria, P.O.- Barauni, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Syed Mohammad Shabbir Alam, Advocate

For the Opposite Party : Mr. Anil Kumar Singh 1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with S.T. No.
478 of 2016, arising out of Phulwaria P.S Case No. 163 of 2014
registered for the offences punishable under Section 147, 148, 149
and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner shot Shatrughan Mishra, the
son-in-law of the informant which was misfired and then again the
petitioner fired which hit on his temple and during way of
Begusarai he died.

Submission is of false implication and that there is no
legal and tangible material against the petitioner, only on
suspicion and due to enmity he has been implicated. The petitioner



is suffering in custody since 16.07.2016 and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P opposes the prayer of bail by submitting that the petitioner is the assailant.

In the facts and circumstances stated above, considering that petitioner is the assailant and, as such, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with S.T. No. 478 of 2016, arising out of Phulwaria P.S Case No. 163 of 2014, pending in the court of learned F.T.C.-II, Begusarai.

(Jitendra Mohan Sharma, J.)

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