

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17753 of 2017

Arising Out of PS.Case No. -284 Year- 2016 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

=====

1. Kamlesh Yadav, S/o Late Kapil Yadav, resident of Village- Mal Bigha,
P.S.- Noorsarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Informant : Mr. Rajkishor Prasad

For the Opposite Party/s : Mr. Sakir Ahmad

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2017 Heard the parties.

This application is for grant of regular bail in connection with Noorsarai P.S.Case No.284 of 2016 for the offences under Sections 302/34 of the IPC and 27 of the Arms Act.

The petitioner is named in the F.I.R. and there is allegation against the petitioner that along with the other accused persons, he fired at the deceased.

It is submitted on behalf of the petitioner that the police after investigation not finding the materials against the petitioner has submitted final form and in several paragraphs of the case diary, it has come that the petitioner was not present at the place of occurrence rather at that time, he was present at some other



places, in spite of that, the learned Magistrate differing with the findings of the police has taken cognizance. The petitioner is in custody since 17.2.2017.

Heard learned A.P.P. and learned counsel for the informant. They have opposed the prayer for bail stating that several witnesses, who claims themselves to be eye witness of the occurrence has named the petitioner as one of the assailant in this case.

Having heard both sides and considering the aforesaid aspect of the matter, I am not inclined to grant bail to the petitioner, as such the prayer for bail of the petitioner is rejected.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

