

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7264 of 2017

Arising Out of PS.Case No. -174 Year- 2016 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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1. Baliram Gope @ Bali Gope, S/o Suresh Yadav, Resident of Mahmadpur
Balwapar, P.S. Harnaut, District-Nalanda.
2. Santosh Yadav, S/o Bechan Yadav, Resident of Village-Harauli, P.S.-
Barh, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Kumar

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 18-04-2017

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Chandi P.S. Case No. 174
of 2016 instituted for the offence under Sections-302/34 of the
Indian Penal Code and 27 of the Arms Act.

There is specific allegation in the fardbyan that first,
Pappu Singh caused fire-arm injury with pistol on the wife of the
informant. Thereafter, these petitioners also fired from their pistols
on the informant causing fire-arm injury on the wife of the
informant. The wife of the informant died on the spot.

It has been submitted that from the FSL report, it is
found that five different fire-arms have been used and therefore,
the entire case is falsified.



The FSL report and P.M report have been enclosed. The doctor has found as many as five injuries caused by fire arm on the person of the deceased. The doctor opined that the cause of death is injuries caused by fire-arm. In the FSL report, it has been mentioned that fire-arms have been used. As such, the specific allegation against both the petitioners of causing fire arm injury gets corroborated from FSL report and the postmortem report.

Therefore, this court is not inclined to grant bail to the petitioners at this stage. Accordingly, their prayer for bail stands rejected.

The learned trial court is directed to expedite the trial of the petitioners.

(Sanjay Priya, J)

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