

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26537 of 2017

Arising Out of PS.Case No. -93 Year- 2016 Thana -SIKARHATA District- BHOJPUR

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1. Manoj Singh, Son of Late Kameshwar Singh,
2. Sanjay Singh, Son of Sri Yogendra Singh Both Resident of Village-
Sikraul, Police Station Sikarhata, in the District of Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 25-07-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

Petitioners are languishing in judicial custody since
14.01.2017 in connection with Sikarhata P.S. Case No. 93 of 2016
for offences punishable under Sections 302, 120B, 34 of the
Indian Penal Code and 27 of Arms Act.

The prosecution case, as lodged by the informant is that
while he along with his brother Rajesh Kumar Pandey @ Barku
(deceased) and Shailesh Kumar Pandey, his cousin Dipak Pandey
had gone to market and while Rajesh Kumar Pandey had reached
the barber shop, the petitioners along with Harshit Kumar Singh
and two other co-accused persons came there on two motorcycles
and the petitioners started indiscriminate firing upon the deceased,



on which the informant's brother succumbed to his injuries.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case. He further submits that they were as many as six persons but five injuries have been found which cannot be attributed only to the petitioners. It is further submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned counsel appearing on behalf of the informant as well as the learned APP for the State vehemently, opposes the prayer for bail, stating therein that all the accused persons committed day light killing on the road after chasing the deceased brother of the informant and multiple injuries have been found on the body of the deceased.

Considering the facts and circumstances of the case and materials on record, I am not inclined to enlarge the petitioners on bail and accordingly the prayer for bail of the petitioners stands rejected.

(Nilu Agrawal, J)

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