

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6431 of 2018

Arising Out of PS.Case No. -115 Year- 2017 Thana -KHAJEKALLAN District- PATNA

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Deepu Kumar, Son of Late Jagdish Sao, Resident of Mohalla-Jamuni Ray
Ka Kuan, Moghalpura, Police Station Khajeykalan, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.7558 of 2018

Arising Out of PS.Case No. -117 Year- 2017 Thana -KHAJEKALLAN District- PATNA

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Deepu Kumar, Son of Late Jagdish Sao, Resident of Mohalla- Jamuni Ray
Ka Kuan, Moghalpura, Police Station Khajeykalan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.6431 of 2018)

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Anil Kumar Singh 1

(In Cr.Misc. No.7558 of 2018)

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 22-03-2018 Heard learned counsels for the petitioner and the State.

As both FIR are arising out of same occurrence and the bail applications are filed by the same petitioner, so both these applications are being disposed of by this common order.

The petitioner, already in custody, seeks bail in connection with Khajekalan P.S.Case No. 115 of 2017 registered under Sections 302/34 of the Indian penal Code and 27 of the Arms Act



(in Cr. Misc. No. 6431 of 2018) as well as in connection with Khajekalan P.S.Case No. 117 of 2017 registered under Sections 25(1-b) a and 26 of the Arms Act (in Cr. Misc. No. 7558 of 2018).

Allegation in brief is that due to land dispute, petitioner wanted to capture the land and the same was objected by the informant side. It is alleged that this petitioner shot at informant's wife causing her death.

It is contended that as per allegation, informant's wife was taken to NMCH where she died, but FIR was not instituted there rather on the next day FIR was instituted and on the same day another case was also instituted against the petitioner under the Arms Act. First FIR was sent to the court on 21.07.2017 and another on the next day under the Arms Act. In fact the victim was killed by some unknown criminals and the petitioner has been falsely implicated in this case along with his entire family members.

Whereas learned counsel for the State submits that there is specific allegation against the petitioner of killing the informant's wife and police also recovered the weapon used in the offence from the house of the petitioner for which a separate case under Arms Act was registered being Khajekalan P.S.Case No. 117 of 2017.



Having considered the aforesaid facts and circumstances, the prayer of bail of the petitioner in both bail applications are rejected. Trial court is directed to expedite the trials.

(Arun Kumar, J)

Sujit/-

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