

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36375 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -KARAKAT District- SASARAM (ROHTAS)

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Shekhar Pandey @ Azad Chandra Shekhar son of Bhim Pandey, resident of
Village- Itwan, P.S.- Karakat, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Vinay Kumar Mishra and
Rakesh Narayan Singh, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 23-07-2018 Heard learned counsels for the petitioner and the

informant as well as learned Additional Public Prosecutor for the

State.

The petitioner seeks bail in connection with Karakat
Police Station Case No. 12 of 2018 registered for offences
punishable under sections 302, 120-B of the Indian Penal Code
and section 27 of the Arms Act.

As per FIR when the deceased was playing card in a
company of five persons, this petitioner committed murder of
deceased by causing firearm injury.

It has been submitted that the allegation of causing
firearm injury is omnibus. There is no eye witness to the
occurrence and no motive has been assigned for committing



murder of the deceased. The persons, who have stated that this petitioner shot fire on the deceased, are hearsay witnesses. The petitioner is in custody since 09.03.2018 and so he deserves to be enlarged on bail.

The learned Additional Public Prosecutor and learned counsel for the informant on the other hand opposed the submission. It has been submitted that the petitioner is named in FIR and four witnesses have stated that this petitioner shot fire on the deceased. The informant, who is nephew of the deceased, hearing the sound of firing reached at place of occurrence and saw the deceased in the pool of blood and this petitioner fleeing from there after causing firearm injury. The petitioner has two more cases of similar in nature.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner stands rejected.

(Sanjay Kumar, J)

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