

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25432 of 2018

Arising Out of PS.Case No. -317 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

Sunil Pandey S/o Parasar Pandey, R/o Vill.- Kalyanpur, P.S.- Durgawati,
District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 06-07-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with

Durgawati PS case no. 317 of 2017 instituted for the offences
punishable under Sections 302, 448, 307/34 of Indian Penal Code
and 27 of Arms Act.

The allegation, according to the informant who
died subsequently, is that the petitioner herein and one another
fired on him resulting in his death.

The learned Senior counsel for the petitioner has
submitted that it is difficult to assess as to who had fired resulting
in injury to the deceased on account of which he died, as such the
complicity of the petitioner, at the moment, cannot be assessed. It



is further submitted that the petitioner is languishing in custody since 23.12.2017.

I have heard the learned counsel for the parties and perused the case diary and I find that the so-called written report of the informant is infact, a dying declaration and has been signed by the doctor also and there is specific allegation of firing on the petitioner herein which has resulted in the death of the informant. Moreover, there are ample materials in the case diary to connect the petitioner with the alleged crime. Accordingly, I do not find any merit in the present petition, as such the same is dismissed.

(Mohit Kumar Shah, J)

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