

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33142 of 2018

Arising Out of PS.Case No. -771 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Guddu @ Rajesh Kumar Son of Surendra Singh Resident of Village-
Makhdumpur, P.S. Karai Parsurai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-07-2018 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 11.12.2017
in connection with Hilsa P.S. Case No. 771/2017 registered for the
offences punishable under Sections 341/302/109/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
entire case against the petitioner is based on conjecture and
surmises and only because of previous land dispute, the petitioner
has been named in connection with the present case. It is being
further submitted that the father of the present petitioner who is
alleged to have been present at the place of occurrence has since
not been sent up for trial and in the charge-sheet, it has been fairly
submitted that the Court has thereafter placed him for trial.



Learned Senior Counsel however, submits that during the course of investigation one Tarun has made a confessional statement before the police that it was he who had fired at the deceased and, thereafter, the story that this petitioner (Guddu @ Rajesh Kumar) has fired is not entirely correct in view of the confession made by the Tarun.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that there is all materials in the case diary to indicate the complicity of the present petitioner who is said to be the main assailant.

Having considered the entire facts and circumstances and in view of the fact that the petitioner is the main assailant, I am not inclined to grant bail to this petitioner.

It is accordingly rejected.

(Anjana Mishra, J)

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