

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62045 of 2018

Arising Out of PS.Case No. -166 Year- 2018 Thana -GARDANIBAG District- PATNA

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Sunny @ Md. Hasib, aged about 22years Son of Md. Sunain Resident of
Karbala Road, P.S. Phulwari Sharif, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Tewary, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 02-11-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

The petitioner seeks bail in Gardanibagh P.S. Case No.
166/2018, registered for the offences punishable under Sections
394, 397 and 302 of the Indian Penal Code and section 27 of the
Arms Act.

While Informant along with his son was at his shop, two
persons entered into his shop, one person remained at the gate and
another person started assaulting the informant with pistol. The
person remained at the gate took away the money kept in the shop.
Informant and his son came out of his shop, thereafter, the accused
persons opened fire upon them. Informant sustained fire-arm
injury on his leg whereas, his son sustained fire-arm injury in his



chest. Two persons were also present out of his shop. Later on, son of the informant succumbed to the injury.

It has been submitted that petitioner has falsely been implicated in this case. He is not named in the F.I.R. His name has surfaced on the confession of co-accused Nishant Kumar @ Nishu. During test identification parade, petitioner is not identified by anyone. He has been remanded in this case on 31.05.2018.

From perusal of case diary it appears that money alleged to have been looted from the shop of petitioner was recovered from the possession of petitioner and co-accused Nishant Kumar.

Considering the facts aforesaid and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Petitioner may renew his prayer for bail after completing eight months in custody.

(S. Kumar., J)

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