

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30576 of 2018

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

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Mainu@Mannu @ Shailendra Singh S/o Late Sagar Singh, R/o
Vill./Mohalla- Makhdumpur, P.S.- Karai Pasurai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Adv.
Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 04-07-2018 Heard learned counsels for the petitioner, informant and
learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Hilsa P.S.
Case No. 771 of 2017 registered for the offences under sections
341, 302, 109/34 of the Indian Penal Code and section 27 of the
Arms Act.

The informant in his fardbeyan submitted to the
S.H.O. of Hilsa Police Station, has alleged that when he along
with his father was returning their house, this petitioner and two
others intercepted them and shot fire causing injury on the person
of his father as a result of which his father died at the spot.

It has been submitted that the cause of occurrence was



land dispute between the parties. This petitioner is a stranger to the family members of other co-accused with whom the informant was at litigating term. In course of investigation, co-accuseds Tarun Yadav and Pintu Yadav were apprehended. They confessed their complicity in the above crime and stated that they were hired for committing murder of the deceased. This version falsifies case of informant regarding causing firearm injury. The petitioner is in custody since 12.12.2017 having clean antecedent.

Learned counsel for the informant and learned Additional Public Prosecutor for the State on the other hand opposed the submission.

On perusal of FIR I find that there is specific allegation against this petitioner of causing firearms injury on the person of the deceased. The informant and his son were with the deceased and they were moving on one motor cycle. The other witnesses, who reached at the place of occurrence, have also stated that the accused persons committed murder of deceased.

Considering the allegation of causing firearms injury resulting the death of deceased, I am not inclined to grant bail to the petitioner. His bail prayer stands rejected.

Mahesh/-

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(Sanjay Kumar, J)

