

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50279 of 2018

Arising Out of PS. Case No.-44 Year-2011 Thana- LADANIA District- Madhubani

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Kishun Mukhiya @ Ram Kishun Mukhiya Son of Suraj Mukhiya Resident of
Village- Kabilasa, P.S. Ladaniya Distt. Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

6 03-12-2018

Heard learned counsel for the parties.

The Petitioner seeks bail in **Ladaniya P.S. Case No. 44 of 2011** registered for the offence punishable under Sections 341, 307/34 of the Indian Penal Code.

Informant in his fardbeyan has stated that when he and Satya Narayan Safi were going toward Ladaniya on motorcycle, two unknown miscreants stopped their motorcycle and one of the co-accused fired from his pistol, which hit on the face of Satya Narayan Safi on account of which he fell down and the miscreants fled away. Informant has claimed to have identified the petitioner as one of the miscreants.

It has been submitted on behalf of the petitioner that the FIR is against unknown and he has been falsely implicated in this case. Petitioner is a poor labourer and was not present in



the village at the time of occurrence as he had gone to earn his livelihood to Nepal. Petitioner is in custody since 31.05.2018.

Considering the aforesaid facts and circumstances of the case and the fact that the petitioner has been identified by Informant and he has absconded for nine months, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner would be at liberty to renew his prayer for bail after completing one year of Jail custody from now.

(S. Kumar, J)

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