

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47497 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -BARIYARPUR District- MUNGER

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Sikander Mandal @ Siko Mandal @ Sikendra Mandal son of Late Tiloki Mandal, resident of Village- Sakahra Kalyan Tola Cham Tola, Police Station- Bariarpur, District- Munger.

.... Petitioner.

Versus

State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan

For the Opposite Party/s : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections- 302, 201/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that the accused persons opened fire upon the husband of the informant, as a result of which, informant's husband succumbed to the injuries.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20-11-2017 and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in this case due to land dispute. The informant is a set up witness. She was not present at



the place of occurrence. Later on, she has tried to become an eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The informant is an eye witness to the occurrence. The petitioner is said to have given first fire shot upon the deceased and thereafter, other accused persons are alleged to have fired upon the deceased. The postmortem report supports the allegations made in the FIR.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Bariyarpur P.S. Case No. 101 of 2017 corresponding to Sessions Trial No. 68 of 2018 is rejected.

The learned court below is directed to take all necessary steps to expedite the trial of the petitioner.

(Sudhir Singh, J)

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