

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11464 of 2019

Arising Out of PS. Case No.-222 Year-2018 Thana- KISHUNPUR District- Supaul

1. Shyam Sunder Mandal @ Ram Sunder @ Ram Sunder Mandal, son of Dukhi Mandal Resident of village-Aasanpur Kupha,P.S-Kishanpur,Distt.-Supaul.
2. Laxmi Mukhiya Son of Late Jatai Mukhiya resident of village-Aasanpur Kupha,P.S-Kishanpur,Distt.-Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 11-04-2019 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners are accused in connection with Kishanpur P.S. Case No. 222 of 2018/G.R. No. 1785 of 2018 registered under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act pending in the Court of Chief Judicial Magistrate, Supaul/Incharge Successor Court.

Submission of learned counsel for the petitioners is that petitioners have falsely been implicated in this case due to enmity. Further submission is that the petitioners have no criminal antecedent. Petitioners are in custody since 11.09.2018 and 10.09.2018 respectively.



Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner with submission that the petitioners fired upon the deceased from the front side in between his shoulder and chest due to which he fell down from the bike and died.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioners for bail. Accordingly, this application is rejected.

However, liberty is granted to the petitioners to renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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