

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18150 of 2019

Arising Out of PS. Case No.-186 Year-2017 Thana- NAUGACHIA District- Bhagalpur

Raj Kishore Chauhan @ Raj Kishore Rai @ Bilaria Son of Late Buchi Rai
Resident of Village - Pakra, P.S.- Naugachia, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Kamlesh Kumar Pathak, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP
For the Informant	:	Mr. Pramod Kr. Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-08-2019 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner seeks bail in Naugachia P.S. case No.186 of 2017 registered under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and 27 of Arms Act, pending in the court of Additional Chief Judicial Magistrate-I, Naugachia.

Allegation is that accused Abhishek Raman @ T.N. Yadav opened fire with the pistol on the brother of the informant, namely, Darogi Singh. Thereafter all the accused persons including the petitioner surrounded the brother of the informant and began to fire indiscriminately on his brother, due to which he died on the spot.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.08.2018. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely



been implicated in the present case. Co-accused Abhishek Raman @ T.N. Yadav is alleged to have given first fire shot upon the deceased. Thereafter the petitioner along with other co-accused are said to have fired. Same is general and omnibus in nature. No specific injury is attributed against the petitioner.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. There is allegation of firing against the petitioner also along with other co-accused. The postmortem report shows that there are twelve gun shot injuries on the body of the deceased. The petitioner has got nine criminal antecedents pending against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected.

The court below is directed to take all necessary steps to expedite the case.

Narendra/-

(Sudhir Singh, J)

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