

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78728 of 2018

Arising Out of PS. Case No.-238 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Sanjay Rai, Son of Janardan Rai, Resident of village - Dighwara Tola,
Mathiya, P.S.-Bainkunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sir Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 27-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Baikunthpur P.S. Case No. **238/18** registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is to have fired upon the father of the informant along with F.I.R. named accused as a result of which he succumbed to injury in a hospital. Father of the informant has also stated in his dying declaration that the petitioner, Shankar Rai and one unknown person had caught and fired upon him.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case.
Petitioner has no criminal antecedent and he is in custody
since 14.09.2018.

Considering the facts and circumstances of the case
and nature of allegation, 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, the petitioner would be at liberty to renew
his prayer for bail after one year in jail custody.

(S. Kumar, J)

Sanjay/-

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