

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43012 of 2019

Arising Out of PS. Case No.-194 Year-2018 Thana- DHANARUA District- Patna

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Birendra Bind Son of Late Budha Bind Resident of Village - Bir Bind Toli,
P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 27-09-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in connection with

Dhanarua P. S. Case No. 194 of 2018 dated 05.06.2018

instituted for the offences under Sections 302 and 34 of the

Indian Penal Code and Section 27 of the Arms Act, 1959.

It has been alleged by the wife of the deceased

that the petitioner opened fire indiscriminately, leading to the



death of her husband.

Learned counsel for the petitioner has sought bail on the ground that all other accused persons named in the F.I.R. have been granted bail and that the petitioner has a disability of 45 per cent. He has also shown to this Court his photograph which indicates that his right hand is severely damaged. The disability is stated to be burn injury.

The nature of photograph does not inspire confidence as with that kind of disability, it cannot be assessed to be only 45 per cent.

Learned counsel for the State, however, has opposed the prayer for bail on the ground that the other accused persons who have been granted bail were, though, named in the F.I.R. but no specific accusation had been levelled against them.

The informant has seen the occurrence and so has others, about which reference has been made in the investigation papers.

The petitioner is in custody since 09.07.2018.

Considering the nature of accusation, I am not



inclined to grant bail to the petitioner for the present.

The petition is dismissed.

(Ashutosh Kumar, J)

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