

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70335 of 2018

Arising Out of PS. Case No.-120 Year-2017 Thana- OBRA District- Aurangabad

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Braj Kishore Singh, S/o Late Kedar Singh, Resident of Village-Akauna, P.S.-
Obra, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Saket Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Arya Achit Ms. Nivedita Nirvikar
For the State	:	Sri Mukeshwar Dayal, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 14-02-2019 Heard the learned counsel for the petitioner and

counsel appearing on behalf of the State.

The petitioner is in custody since 21.03.2018 in connection with Obra P.S. Case No.120 of 2017 registered under Sections 302, 307, 323, 324, 325, 326, 504, 147, 148, 149 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has pointed out that though the allegation against the petitioner is specific of having fired, there is case and counter case between the parties with injuries having been inflicted on both sides.

Learned counsel for the petitioner submits that in view of the fact that there was land dispute and enmity between



the parties, the petitioner may be extended the privilege of bail.

Learned counsel for the informant has also present and submit that the petitioner being a main assailant is not deserving the privilege of any bail order as it would definitely create complication and there is history of enmity between the parties.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that the act of the petitioner of having fired directly on the victim has been stated in the FIR itself and, therefore privilege of bail may not be extended to the petitioner.

Considering the aforementioned facts and circumstances of the case, I am not inclined to grant privilege of bail to the petitioner. Accordingly, it is rejected.

(Anjana Mishra, J)

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