

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28631 of 2020

Arising Out of PS. Case No.-208 Year-2019 Thana- LAUKAHI District- Madhubani

Radhe Sah @ Radheshyam Sah, aged about 24 years, Gender- Male, Son of Birbal Sah, Resident of Village- Mahadev Math, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel, Advocate
For the State : Mr.Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Laukahi P.S. Case No. 208 of 2019 dated 03.10.2019 corresponding to G.R. No.-1635 of 2019 registered for the offence punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case in short is that while one truck driver namely Ramesh Kumar Yadav along with his Khalashi driving a truck at night above 11:30 o'clock has been stopped by two unknown persons and by showing a pistol (Gun) demanded money from them, which has been denied by the informant upon which they become angry and started firing upon the informant, which cause injury to the informant.



Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence. He further submits that the petitioner has falsely been implicated in the present case.

Learned A.P.P. for the State has opposed the prayer for bail and submits that the petitioner has identified in T.I. Parade, which is mentioned in paragraph-92 of the case diary and he further submits that the other witnesses have also supported the prosecution case. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 07.10.2019.

On perusal of the record including the case diary. The petitioner has identified by the police in T.I. Parade.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner in connection with Laukahi P.S. Case No.208 of 2019 dated 03.10.2019 corresponding to G.R. No.1635 of 2019 pending in the court of learned S.D.J.M., Jhanjharpur is hereby rejected at this stage.

(Anjani Kumar Sharan, J)

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