

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68037 of 2019

Arising Out of PS. Case No.-532 Year-2018 Thana- BODHGAYA District- Gaya

=====

FIROZ UDDIN @ FIROZ ALAM @ DILIP Son of Nasiruddin @ Samo
Khan Resident of Village- Khap, P.S.- Bodh Gaya(Cherki), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vipin Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 04-03-2020 Heard learned counsels for the petitioner and the

State.

Petitioner seeks bail in connection with Bodh
Gaya (Cherki) P.S. Case No. 532 of 2018 registered for the
offence punishable under sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Learned counsel appearing for the petitioner
submits that petitioner has been falsely implicated in this
case due to previous land dispute between the parties. No
independent witness has supported the prosecution case.
From the CCTV footage it has been verified that this
petitioner was present at his shop from 09.30 to 01.39.
Further, the informant was also seen going towards the place



of occurrence at 12.44, whereas the alleged occurrence took place at 12.00. petitioner has no criminal antecedent and is in custody since 28.03.2019.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that petitioner is named accused in the first information report and there is direct allegation against him of firing which hit the deceased and resulted in his death. During investigation also witnesses have supported the prosecution case. He, therefore, does not deserve to be granted privilege of bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

mcv/-

U		T	
---	--	---	--

