

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13441 of 2021

Arising Out of PS. Case No.-35 Year-2020 Thana- BADHAILA District- Rohtas

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RUDAL @ RUDAL MANSURI, Son of Mahmood Mansuri, Resident of
Village - Suara, P.S. Baghaila, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-09-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B/34 of the Indian
Penal Code and 27 of the Arms Act.

The prosecution case, in brief is that on 27.05.2020 at
about 11.00 pm, the informant's son Nitish Kumar after taking
his meal went to his room for sleeping and Nitish Kumar went
to field for cultivation. It is further stated that on 11.45 pm, the
informant heard the sound of gun shot and he wake up and saw
that five persons were escaping from his courtyard who fled
away after open the main door of the house, in which he



identified four persons including the petitioner. He also stated that the petitioner was carrying Katta in his hand. On cry of his son Nitish Kumar he went there and found that, he is injured and bleeding is going on near his ear. He was taken away hospital for treatment and in the course of treatment he was died.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to previous enmity. He further submits that there is no incriminating articles has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. The petitioner is languishing in jail custody since 29.05.2020. The petitioner has no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposed the prayer for bail petition and submits that the informant has identified the petitioner at the place of occurrence. The postmortem report has supported the prosecution case.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Baghaila P.S. Case No. 35/2020 from the Court



of learned Judicial Magistrate-1st Class, Rohtas at Sasaram.
Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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