

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59161 of 2022

Arising Out of PS. Case No.-399 Year-2021 Thana- MURLIGANJ District- Madhepura

Dharmendra Kumar @ Keshav Yadav Son of Umesh Yadav R/v- Naulakhi,
P.S.- Jankinagar, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in connection with Murliganj P.S.
Case No. 399 of 2021 for the offences punishable under
Sections 394, 302/34 of the Indian Penal Code and Section 27 of
the Arms Act.

According to prosecution case, all the miscreants tried
to snatch the amount from Sunil Kumar Keshari who is sitting
inside the bolero pick up vehicle and on protest, one of the
miscreant fired on him and then all the miscreants fled away.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case on the basis of suspicion. He further submits that there is no specific allegation against the petitioner and it is not clear from the F.I.R. that who fired upon the deceased. He further submits that till date no T.I.P. has been conducted by the prosecution.

The learned Additional Public Prosecutor on the material available on record as well as case diary has vehemently opposed the prayer for bail of the petitioner and submits that it transpire from the F.I.R. itself that the petitioner has fired upon the deceased and the deceased had died. He further submits that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Murliganj P.S. Case No. 399 of 2021 pending in the court of learned Additional Chief Judicial Magistrate, Madhepura.

Prayer is refused.

(Rajesh Kumar Verma, J)

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