

Arising Out of PS. Case No.-434 Year-2023 Thana- UJIYARPUR District- Samastipur

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2024 Heard Mr. Mukesh Kumar Thakur, learned
counsel for the petitioner and Mr. Uma Shankar Prasad Singh,
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 22.12.2023 in connection with Ujiyarpur P.S. Case No. 434 of 2023, F.I.R. dated 26.11.2023 for the offences punishable under Sections 341, 342, 307, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, this petitioner along with two other accused persons dragged the son of the informant and both the accused persons caught hold of the deceased and this petitioner fired upon him resulting into his death. It is further alleged that co-accused Mahesh Mahto also fired upon the elder son of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from



perusal of the F.I.R it appears that due to admitted land dispute, the present occurrence has taken place and there is case and counter case between the parties. He further submits that the petitioner is named in the F.I.R and he has fired upon the son of the informant.

5. Learned Additional Public Prosecutor on the basis of material available on record as well as case diary has vehemently opposed the prayer for bail of the petitioner and submits that it appears from the F.I.R, that there is direct and specific allegation against the petitioner that he has fired upon the son of the informant and apart from that it has come during investigation in paragraph nos. 64, 65 and 66 of the case diary that the witnesses have supported the case of the prosecution.

6. Considering the fact that there is direct and specific allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Ujiyarpur P.S. Case No. 434 of 2023 pending in the court of learned Sub Divisional Judicial Magistrate, Dalsingsarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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