

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7164 of 2015

Arising Out of PS.Case No. -620 Year- 2013 Thana -DANAPUR District- PATNA

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Ranjeet @ Kalia S/o- Sri Jai Narayan Rai, R/v- Daldali Road, Danapur,
P.S.- Danapur, Distt.- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-03-2015 Heard Vijay Kumar Sinha, learned counsel appearing

on behalf of the petitioner, learned A.P.P. as well as learned

counsel for the informant.

The petitioner seeks bail in Danapur P.S. Case No.
620/2013, G.R. No. 3610/2013, Sessions Trial No. 1039/2014
registered for the offence under Section 302 and other sections of
the Indian Penal Code and 27 of the Arms Act.

The informant named fourteen persons and alleged that
Satish, Ajit and Ranjeet @ Kalia made indiscriminate firing on his
nephew Rakesh and Rahul @ Kallu. The accused persons also
threw a big piece of stone on the face of the deceased.

The Learned Counsel for the petitioner submits that the
deceased is a veteran criminal. The informant is not an eye witness

of the occurrence. It would appear that the informant himself ran to the place of the occurrence after hearing the sound of firing.

Prior to lodging of this case, Satish the brother of the petitioner, lodged a case under Section 307 and other sections of the I.P.C. against the deceased bearing Danapur P.S. Case No. 34 of 2007.

It is further submitted that the petitioner of course, has got criminal antecedent, but at the same time the deceased had many criminal cases. He might have been killed somewhere else and on account of enmity the petitioner, his brother and other members of the family were made accused.

From perusal of the postmortem report, it would appear that the deceased, Rahul @ Kallu got one firearm injury. Another deceased also got one firearm injury and three persons are alleged to have fired. Other accused persons have already been enlarged on bail.

The Learned Counsel for the informant has vehemently opposed the prayer for bail.

On perusal of the record, it appears that the petitioner Ranjeet @ Kalia, Satish and Ajit are alleged to have fired causing the death of Rakesh and Rahul @ Kallu. Prayer for bail of Ajit has already been rejected vide order passed in Cr. Misc. No.

50610/2014. The case of the petitioner stands on the same footing as that of Ajit and Satish. Three persons are alleged to have made indiscriminate firing in which two persons died. The case of the petitioner is different from the case of other accused persons as they are not the assailants of the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly the same is rejected.

(Prabhat Kumar Jha, J.)

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