

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12653 of 2015

Arising Out of PS.Case No. -8 Year- 2014 Thana -KHUSRUPUR District- PATNA

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1. Sanjay Singh S/o Yogendra Singh Resident of village - Sukerbeg Chak,
P.S. Khusrupur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mr. Krishna Pd. Singh, Sr Advocate
Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-08-2015 Heard the learned Senior counsel for the petitioner,

the learned counsel for the informant and the learned Additional

Public Prosecutor.

The petitioner seeks bail in a case under Section 302

and other sections of the Indian Penal Code and under section 27

of the Arms Act.

Kanti Krishna Devi, widow of deceased Ramjanam

Singh, stated that Niranjana Singh, Sanjay Singh, Dhananjay Singh,

all sons of Yogendra Singh and Yogendra Singh came to his

Darwaja having armed with different weapons. Niranjana Singh

and Dhananjay Singh made indiscriminate firing on her son,

Rajesh Kumar, who fell down on the ground after having been injured.

Ramjanam Singh, her husband, started fleeing away but Sanjay Singh and Raushan Kumar made indiscriminate firing.

Sri Krishna Prasad Singh, the learned Senior counsel for the petitioner, submits that of course the petitioner and his son Raushan Kumar are alleged to have made indiscriminate firing but the doctor found only one wound of entry and wound of exit and Ramjanam Singh got only one fire arm injury. The informant in her further statement disclosed that it was Raushan Kumar who fired. Other witnesses have also stated the same facts.

On the other hand, the learned counsel for the informant and the learned Additional Public Prosecutor vehemently opposed the prayer for bail and submitted that the informant, who is an eye witness of the occurrence, has very categorically stated in her *fard bayan* that petitioner and his son Raushan Kumar made indiscriminate firing on Ramjanam Singh but from perusal of the records it appears that, of course, the informant has made allegation against the petitioner and his son, Raushan Kumar about indiscriminate firing but the informant in her further statement made it amply clear that it was Raushan Kumar who fired on her husband which hit on the buttock of her husband. Other witnesses have stated the same facts. The doctor found only one fire arm injury, one wound of entry and wound of

exit.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City in Khusrupur P.S. Case No. 08/2014.

(Prabhat Kumar Jha, J)

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