

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.658 of 2015

Arising Out of PS.Case No. -14 Year- 2014 Thana -FULKAHA District- ARRARIA

=====

1. Guddu Singh Son of Sri Narain Singh Resident of Village - Madhura,
P.S. - Fulkaha, District - Araria

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Binod Kumar Mishra

For the Opposite Party : Mr. Ram Shankar Das(Spl.Pp)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-02-2015 Petitioner is languishing in custody since 08.04.2014 in a case registered for the offences punishable under Sections 147, 148, 149, 302, 307, 323, 324, 341, 354, 379, 436, 120B of the I.P.C and Sections 3(i)(iv)(v)(x)(xi)/3(2)(iii)(iv)(v)(vi) of the SC & ST (Prevention of Atrocities) Act.

It is alleged that in the background of dispute with regard to 45 bigha and 13 katha of land the accused persons started ploughing the land through their tractors which was objected by the informant's side whereupon the petitioner fired from double barrel gun and co-accused Subhash Yadav fired from the riffle on the head of Biren Ram who died on the spot. Subsequently co-accused Subhash Yadav and Anant Singh caused fire arm injury on the abdomen of Anurudh Ram who also succumbed to the injuries during

treatment. Co-accused Anant Singh, Ram Kumar Singh and Anil Yadav also caused fire arm injury on the abdomen of Chandradeo Ram. The accused persons also hurled bomb.

It is submitted by learned counsel for the petitioner that accusation of firing has been levelled in the background of serious land dispute. The accusation of use of explosive has also alleged but no such finding has been found by the investigating agency. The postmortem reflects three circular injuries to the right temporal region and one on the right chick which can not be caused by two types of arms.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner at present.

Accordingly the application is dismissed in connection with Fulkaha P.S. Case No. 14 of 2014, pending in the Court of learned Chief Judicial Magistrate, Araria.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--