

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16933 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

=====

1. Umesh Singh, S/o Late Krishna Singh, resident of village - Sheopur, P.S.
Bikramganj, District - Rohtas

2. Ritesh Singh @ Ritesh Kumar Singh S/o Ajay Singh resident of village
- Rediya, P.S. Jilauthu, District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-05-2015

Heard both sides.

The petitioners apprehend their arrest in a case under
Section 307 and other sections of the Indian Penal Code and
Section 27 of the Arms Act.

The informant named the petitioners and alleged that
on the order of Ramesh Singh, Amit Singh fired which hit Rakesh
Singh @ Pintu Singh and when the informant went to save him,
Rahul Singh fired which hit the informant. Umesh Singh is also
alleged to have fired but the shot did not hit anybody. There is no
allegation of firing against Ritesh Singh @ Ritesh Kumar Singh,
the petitioner no. 2. It is submitted that the occurrence took place
at about 8:15 P.M. on 10.02.2015 but the injured was admitted to
hospital on the same day at 6:45 P.M. and this fact shows falsity of

the case.

Considering the fact that there is no allegation of firing against the petitioner no. 2, Ritesh Singh @ Ritesh Kumar Singh, in the event of his arrest or surrender in the court below within four weeks from today, the above named petitioner no. 2 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 S.D.J.M., Bikramganj (Rohtas) in Bikramganj P.S. Case No. 22 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as the case of petitioner no. 1, namely, Umesh Singh is concerned, considering the fact that he was also armed with arms and made firing but the firing did not hit anybody, I am not inclined to enlarge the above named petitioner no. 1 on anticipatory bail. Accordingly, the same is rejected.

The petitioner no. 1 is directed to surrender in the court below and the court below shall consider the prayer for regular bail of the petitioner no. 1 without being prejudiced by this order and taking into consideration that the firing made by the petitioner no. 1 did not hit anybody.

(Prabhat Kumar Jha, J)

Dilip/-

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