

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30911 of 2014

Arising Out of PS.Case No. -223 Year- 2013 Thana -BANIAPUR District- SARAN

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1. Ajay Kumar Singh Son of Sri Raghunath Singh Resident of village-
Siwa, P.S.- Karagahar, District- Rohtas, Present Suspended Sub-Inspector
of Police, Baniapur, Police Station, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Ranjan Kumar

For the Opposite Party/s : Mr. Ramshankar Das (Spl.Pp.)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 28-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Supplementary affidavit has been filed on behalf of
the petitioner which has been taken on record.

Petitioner apprehends his arrest in connection with
Baniyapur P.S. Case No. 223 of 2013 registered for the offences
punishable under Sections 302 Indian Penal Code, Section 27 of
the Arms Act and Sections 3 (i) (x) of SC/ST Act.

The petitioner being Sub-Inspector of Police,
Baniapur Police Station and the deceased were going in feast in
village Bhithi along with others and at the time of sitting in Jeep
the petitioner told the deceased that being a washerman you will

sit on front seat and I will sit behind you and opened fire from his pistol touching backside seat of the deceased causing his death, during treatment in PMCH, Patna, at that time there were other Police personnel also.

Submission is of false implication and that the FIR has been instituted after five days which itself goes to suggest the falsity of the prosecution case. The deceased sustained firearm injury accidentally while cocking pistol but the son of the deceased taking advantage of the situation has lodged this case.

Learned APP opposed the prayer of pre-arrest bail by submitting that not only the petitioner humiliated the deceased in public view by uttering his caste name but also committed murder in public view, and as such, this application for pre-arrest bail is not maintainable.

In the facts and circumstances stated above, noticing the fact that in public view the petitioner has humiliated the deceased and committed crime, and as such, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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