

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6270 of 2015

Arising Out of PS.Case No. -124 Year- 2014 Thana -ISUAPUR District- SARAN

- =====
1. Parshuram Singh, S/o late Chandrika Singh.
 2. Ajay Singh, S/o Shri Parshuram Singh.
- Both residents of village - Sahwan , P.S.- Issuapur, District- Saran at Chhapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Yashraj Bardhan, Advocate.

For the State : Mr. Dashrath Mehta, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 21-05-2015

It appears that vide order dated 16.02.2015 passed by a Bench of this Court this application with respect to the petitioner no.1, Parshuram Singh, has been dismissed as having become infructuous. As such, now the prayer for grant of anticipatory bail on behalf of the petitioner no.2, Ajay Singh, is only being considered.

Heard learned counsel for the petitioner no.2, Ajay Singh, and the learned A.P.P. for the State.

The petitioner no.2, Ajay Singh, apprehends his arrest in connection with Issuapur P.S. Case No.124 of 2014 registered under Sections 147, 148, 149, 504, 109, 323, 324, 307, 427, 379

and 506 of the Indian Penal Code pending in the court of the Chief Judicial Magistrate, Saran at Chharpa.

The accusation is that on 10.10.2014 at about 07.00 P.M. the informant, Vijay Rai, on his motorcycle alone and his nephews, Ajay Rai, and Bhushan Rai, on another motorcycle, were returning to their house from the market. When they reached near the house of Shivnath Rai, all the accused persons, named in the F.I.R., including the petitioners and 5-7 unknown, started abusing them and the co-accused, Shivnath Rai, ordered to surround them and kill them. Thereafter, the co-accused, Mukhtar Singh, assaulted the informant with Farsa causing injury on his head and he fell down on the ground. The petitioner no.1, Parshuram Singh, assaulted his nephew, Bhushan Rai, with Dab causing injury on his head and the petitioner no.2, Ajay Singh, assaulted his second nephew, Ajay Rai, with rod brutally, as a result of which he became injured seriously and fell down on the ground. After the informant and his nephews fell down on the ground, all the accused persons including the petitioners assaulted them brutally with lathi, danda and rod. In that course, the petitioner no.1, Parshuram Singh, also damaged the motorcycle of his nephews and the co-accused, Shivnath Rai, snatched Rs.12200/- from the pocket of the informant and gold chain from

the neck of his nephew, Ajay Rai.

Learned counsel for the petitioner no.2, Ajay Singh, submits that all the injuries caused by him to the nephew of the informant, Ajay Rai, are simple in nature, which would appear from paragraph-24 of the case diary.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner no.2, Ajay Singh, I am not inclined to grant anticipatory bail to him. Accordingly, the prayer of the petitioner no.2, Ajay Singh, for grant of anticipatory bail stands rejected. However, the petitioner no.2, Ajay Singh, is directed to surrender before the trial court within four weeks and pray for regular bail, which shall be considered by the trial court on its own merit without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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