

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42177 of 2015

Arising Out of PS.Case No. -318 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Ganga Bishun @ Ganga Bishun Singh Son of Late Indradeo Singh
Resident of village - Gangauli, Police Station - Dehari Dalmianagar, District
- Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-12-2015 Heard both sides.

The petitioner apprehends his arrest in Dalmianagar
P.S. Case No. 318/2015, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code and
27 of the Arms Act.

The informant, brother of the injured, made
allegation that the petitioner and others waiting for Ajay Kumar
Singh and son-in-law of the petitioner fired which hit on the right
cheek of Ajay Kumar Singh.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the case. There is no
allegation of firing against the petitioner. Prior to lodging of this
case, the brother of the informant filed a case for kidnapping of his

daughter against the family members of the petitioner. There is land dispute and that is why the petitioner has falsely been implicated in this case.

From perusal of the statement of injured Ajay Kumar Singh, it appears that the petitioner was driving the motorcycle and his son-in-law was sitting as pillion rider. The petitioner tried to stop the motorcycle of Ajay Kumar Singh and thereafter Om Prakash fired, which did not hit anybody, but son-in-law of the petitioner fired causing injuries on the right cheek of Ajay Singh. The petitioner was actively participating in the occurrence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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