

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8338 of 2015

Arising Out of PS.Case No. -692 Year- 2014 Thana -SASARAM (Model) District- SASARAM (ROHTAS)

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Ajay Singh @ Ajay Kumar Singh, Son of Late Shivjee Singh, Resident of Mohalla - Gawrakshni, Gajrar, P.O. & P.S. - Sasaram, District - Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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With
Criminal Miscellaneous No.10988 of 2015

Arising Out of PS.Case No. -692 Year- 2014 Thana -SASARAM (MODEL) District- SASARAM (ROHTAS)

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Vijay Singh, son of Late Sheoji Singh, resident of Mohalla- Gawrakshni, Gajrar, P.O. & P.S. Sasaram, District-Rohtas.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

(In Cr.Misc. No.8338 of 2015)

For the Petitioner/s : Mr. Sada Nand Ray, Advocate

For the Opposite Party/s : Mr. Kalayan Shankar (App)

(In Cr.Misc. No.10988 of 2015)

For the Petitioner/s : Mr. Sada Nand Ray, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 23-04-2015 Both the applications arise out of Sasaram (Model) P.S.Case No.692 of 2014 registered for the offence punishable under Sections 147, 148, 149, 506, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act, as such, they have been heard together and are being disposed of by this common order.

The allegation against the accused including the petitioners is to have assaulted Himanshu and Sachin while they were going to market on a bike. On getting information, the informant went to their rescue, he was also assaulted by them and threatened not to lodge a case. The informant lodged

Sasaram (Model) P. S. Case No. 6 of 1983 of 2014 under Sections 341, 323, 324, 554/34 IPC on 30.7.2014. Getting this information, the accused armed with firearms came to the house of the informant and threatened the members of his family. No one came out, thereafter, the accused returned. At about 10 A.M. the informant along with Himansu, Sachin @ Surendra, Nitesh @ Chhotan were going to the market. In the meantime, all the accused including the petitioners made indiscriminate firing causing injury to Himansu, Sachin and Nitesh @ Chhotan. All the three injured were sent to Sadar Hospital, Sasaram. Considering the gravity of the injury, they were referred to Medical College Hospital Varanasi. During treatment the right leg of Sachin was imputed and treatment was going on to all the victims.

It is submitted that from the statement of the victim Sachin it appears that the accused Ashok Singh has shot fire causing him injuries. He has not named the petitioners to have caused him any injury. The petitioners had no intention to kill, as such, the offence under Section 307 IPC is not attracted.

Learned counsel for the State submits that accused including the petitioners had intention to kill the victims who had sustained fire shot injuries. Both the petitioners have also criminal antecedents. After investigation the case has been found true.

Considering the facts and circumstances, in my opinion, the petitioners do not deserve bail at this stage. Their prayer for bail is rejected.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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