

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19485 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -MAHARAJGANJ District- SIWAN

Priya Darshan Singh @ Babu Singh @ Priya Ranjan Singh S/o Late Vishwanath Singh resident of Village- Mahuwari, P.S Maharajganj, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-06-2015 Heard Sri Krishna Prasad Singh, learned senior counsel, who was assisted by Sri Rakesh Kumar Singh, learned counsel for the petitioner, learned A.P.P. as well as Sri Jitendra Kumar Giri, learned counsel, who has voluntarily appeared on behalf of the informant.

The sole petitioner, apprehending his arrest in connection with Maharajganj P.S. Case No. 119 of 2014, registered for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act, has prayed for grant of anticipatory bail.

Learned senior counsel for the petitioner while pressing the bail petition has placed the F.I.R. to show that in the F.I.R. the informant as an eye witness has made specific statement regarding

involvement of accused persons. Even he made specific statement that who fired on the deceased i.e. the son of the informant and who fired while fleeing away. F.I.R. was lodged against four accused persons. Nothing was indicated regarding involvement of the other accused persons in the occurrence. However, during investigation the petitioner has also been implicated in the present case. It has been accepted that investigation in the case is still continuing.

Sri Giri, learned counsel for the informant, has vehemently opposed the prayer of the petitioner. He submits that during investigation material has come to suggest that petitioner was the main assailant in the case.

Be that as it may, since F.I.R. has been lodged on the information given by the father of the deceased, who has made specific accusation showing involvement of four accused persons and nothing was indicated regarding involvement of the other accused, the court is of the opinion that at present the petitioner is entitled to be extended the privilege of anticipatory bail. Accordingly, in the event of arrest or surrender within a period of one month from today, let the petitioner namely Priya Darshan Singh @ Babu Singh @ Priya Ranjan Singh be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand)

with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 119 of 2014 in terms of conditions as contemplated under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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