

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17891 of 2015

Arising Out of PS.Case No. -119 Year- 2013 Thana -SONEPUR District- SARAN

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1. Deepak Kumar Singh, S/o Sri bhubaneshwar Singh, resident of village-
Chakeyaj, P.O.- MAhnar, P.S.- Desri, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha

For the Opposite Party/s : Mr. Smt. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-07-2015

Heard learned counsel for the petitioner, for the
informant and the State.

In this case, petitioner is seeking bail in Sonapur
P.S.Case No. 119 of 2013 registered u/s 147, 148, 149, 341, 323,
448, 307 IPC and 27 of the Arms Act.

As per claim in the FIR the petitioner and other
accused persons entered the house of the informant and forcibly
started dragging him and his sons as they were putting pressure to
take finger prints on blank paper. As the informant had executed
power of attorney with respect to 5 katha ad 13 ½ dhurs and had
received the consideration amount, he was not ready to put his
signature/finger prints on plain paper, as such the accused persons
assaulted him with fists and slaps. On alarm, his
daughter Rubi Kumari rushed to save him, she was also thrashed
and they were trying to take the sons of the informant, namely,

Rahul Kumar and Kush Kumar which was resisted by his wife and thereafter persons from nearby rushed whereupon Subodh Singh @ Milan Singh took out a small revolver and fired upon the informant but it did not hit him. Police recovered the pellet from there.

Counsel for the petitioner submits that the petitioner has been falsely implicated in this case and if the prosecution allegation is taken into consideration, no case is made out so much so there is no allegation of any overt act and the only allegation is that he remained sitting at the Darwaja of the informant. The main allegation is against Subodh Singh @ Mila Singh who is said to have fired.

Counsel for the informant submits that the petitioner is a powerful person and wanted to obtain finger prints on plain paper with sole purpose to grab his piece of land situated at Digha. When resisted, they tried to take away his sons to put pressure upon the informant.

Having considered the allegation against the petitioner in the FIR and the cause of present case, this Court is not inclined to grant bail to the petitioner. This petition is, accordingly, rejected.

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(Shivaji Pandey, J)