

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23011 of 2015

Arising Out of PS.Case No. -31 Year- 2014 Thana -SAKSOHRA District- PATNA

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1. Ranjay Kumar Singh @ Ranjay Kumar S/o Shiv Kumar Singh @ Chhote Singh. R/o vill.- Jalalpur, Thana - Belchi, Distt.- Patna.
 2. Dhiraj Kumar. S/o Balmiki Singh. R/o vill.- Bhawanchak, P.S.- Saksohra, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 08-10-2015

Heard the learned counsel for the petitioners, the learned counsel for the informant and the learned Additional Public Prosecutor.

The petitioners apprehend their arrest in a case under Section 302/34 of the Indian Penal Code.

The informant made allegation that while he was going along with his brother, Viveka Yadav, six accused persons, including these petitioners, pulled his brother from the motor cycle and made indiscriminate firing causing death of Viveka Yadav on the spot.

The learned counsel for the petitioners submits that accused Sanjay Singh has filed Sakshora P.S. case No. 29 of 2014

against Baby Rani (Mukhiya), the wife of deceased. The deceased was a veteran criminal and he might have been killed somewhere else. The informant did not sustain any injury and this fact itself shows the falsity of the entire case and the fact that informant is not an eye witness of the occurrence. It is further submitted that on the date of occurrence the petitioners were under treatment of a doctor.

On perusal of the records, it appears that there is specific allegation against the petitioners and other four accused persons that they made indiscriminate firing. The deceased received as many as 11 fire arm injuries. The witnesses have also supported the factum of indiscriminate firing.

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

(Prabhat Kumar Jha, J)

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