

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17045 of 2016

Arising out of PS.Case No. -244 Year- 2014 Thana -GORICHAK District- PATNA

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Deepak Singh @ Deepak, S/o Sri Rama Singh, resident of village -
Shekpura, P.S. Gaurichak, District – Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.

For the Opposite Party : Mr. Mukesh Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-05-2016 Heard learned senior counsel for the petitioner and

learned counsel for the State.

The petitioner is languishing in custody since 04.01.2016
in connection with Gaurichak P.S. Case No. 244 of 2014 for the
offences instituted under Sections 147, 148, 149, 341, 323, 324,
325, 326, 307, 302 of the IPC and 27, 29 and 30 of the Arms Act.

The prosecution story, in brief, is that on 02.10.2014 at
9.00 A.M., the informant alongwith his Villager Tripurari, Murari,
Rakesh and Sanjay was sitting on bridge outside of his village, in
the meantime, Ramsihansan Singh, Kantu Singh, Mundrika Singh
and Chote Singh, resident of village- Sheikhpura came thereby
way of his village and all have tied Napkin the neck of Rakesh
Singh and starting dragged towards of his village of Rakesh



Kumar upon which the informant and others tried to save him and thereafter accused Rajiv, Pravin, Mundrika Singh, Deepak, Raju, Ramasihansan Singh, Karu Singh, Gulshan, Arun Singh, Sonu, Monu, Vikki and Manoj Singh came there alongwith Lathi, Farsa and weapon and further alleged that accused Deepak Singh, Vikash @ Bhim, Rajiv, Pravin and Jhagru Singh fired from their gun upon which Tripurari, Murari, Sanjay, Rakesh, including the informant were injured from fire arms injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.01.2016 and the charge sheet has been submitted in the case. As per the F.I.R., general and omnibus allegation has been made against the five accused persons for causing fire arm injury upon the deceased. Earlier the case was instituted for the offence under Section 307 of the I.P.C. Later on, Section 302 I.P.C., was added. From perusal of the injury report, it is evident that the firearm injuries are simple in nature. From perusal of the postmortem report, it is evident that the deceased died due to head injury caused by hard and blunt substance. The said injury is said to have been caused by Ramji Singh and Sadhu Singh, hence, no fatal injury has been caused by the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna City, Patna, in connection with Gaurichak P.S. Case No. 244 of 2014.

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(Sudhir Singh, J)