

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21442 of 2016

Arising out of PS.Case No. -284 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

Hirdaya Singh, son of Late Kulbansh Singh, resident of Village: Pathalpur,
P.S: Kargahar, District: Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vikramdeo Singh, Advocate.

For the Opposite Party : Mr. M.K. Khare(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 10-08-2016 A supplementary affidavit has been filed on behalf of

learned counsel the petitioner. The same may be kept on the

record.

In the light of the supplementary affidavit, learned
counsel for the petitioner is permitted to make necessary
correction in paragraph no. 3 of the present bail application.

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

The petitioner is languishing in custody since 23.02.2016
in connection with Kargahar (Sidi O.P.) P.S. Case No. 284 of
2015 for the offences instituted under Sections 302/34 of the IPC.,
27 of the Arms Act and 3(1)(vii) (x) of the SC/ST (Prevention of
Atrocities) Act.

The prosecution story, in brief, is that on 15.10.2015, all the F.I.R. named accused persons alongwith other arrived at the door of the informant and pressurised his son Pappu Kumar to cast his vote in favour of Alok Kumar Singh and on refusal one Alok Singh abused him. On which these petitioners alongwith others having armed in their hands opened fire causing injury to the son of the informant, namely, Pappu Kumar, due to which he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.02.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. As per F.I.R., general and omnibus allegation has been made against four persons for causing fire arm injury upon the deceased including the petitioner. The informant in his restatement confined his allegation of firing against only two persons, namely, Kundan and Chitranjan. From perusal of the postmortem report, it is evident that only one gun shot injury is found on the body of the deceased.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R. and has actively participated in the alleged occurrence.

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 A.C.J.M.-2, Rohtas at Sasaram, in connection with Kargahar (Sidi O.P.) P.S. Case No. 284 of 2015.

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(Sudhir Singh, J)