

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1324 of 2016

Arising Out of PS.Case No. -110 Year- 2013 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Akhilesh Singh Son of Lalan Singh, Resident of Village - Bhusaon,
P.S. - Thave, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Anita Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2016

Petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 147, 148,
149, 323, 302 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case is that on 16.05.2013 at
10:00 A.M petitioner and co-accused Dhuman Singh @ Rahul
Kumar Singh, Baban Singh made indiscriminate firing causing
injury on the chest of the brother of the informant Mahesh
Singh and when he fell down then co-accused Chabila Singh,
Nand Kishore Singh, Sonu Kumar, Bhushan Singh, Brajesh
Singh, Shivjee Singh and Dhruv Singh assaulted with lathi. The
victim subsequently succumbed to the injuries.

It is submitted by learned counsel for the
petitioner that son of the petitioner Amit Kumar @ Soni was
killed at the behest of the informant's side for which petitioner's
side lodged the case at earlier point of time. Moreover other co-

accused Bipin Singh and Nand Kishore Singh have been granted anticipatory bail vide Cr. Misc. No. 41065 of 2013 and 47611 of 2013, whereas co-accused Chuman @ Rahul Kumar @ Chuman Singh @ Rahul Singh has been granted regular bail vide Cr. Misc. No. 37249 of 2015. It is further submitted that accusation of firing is omnibus and general. Moreover the petitioner was not sent up for trial and subsequently, differing with the final form, cognizance has been taken on 06.10.2015.

Considering the fact that similarly situated co-accused Chuman @ Rahul Kumar @ Chuman Singh @ Rahul Singh has been granted regular bail, son of the petitioner was killed by the informant's side and the case lodged by the petitioner's side at earlier point of time, it is a case for consideration of prayer for regular bail, if the petitioner surrenders within a period of six weeks in connection with Pipra Kothi P.S. Case No. 110 of 2013, pending in the Court of learned Chief Judicial Magistrate, Motihari, East Champaran.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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