

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3793 of 2016

Arising Out of PS.Case No. -96 Year- 2011 Thana -MUNGER MUFFASIL District- MUNGER

Jaldhar Singh son of Bhola Singh resident of Village - Temha Banni, Police Station - Mahesh Khunt, District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. A.Haque Sahara(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 25-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 342, 323, 302, 387, 386 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the informant and his brother were in their khalihan, in the meantime, the accused persons came variously armed and demanded extortion of Rs. Five lakhs and asked for handing over the licensee Arms. On protest being made when first firing was made by



Maheshwar Yadav on the leg of Bipin Yadav, who ordered to kill all the persons present there when Mannu Yadav caused firearm injury in the eye of Bipin Yadav and then Manish Yadav also caused firearm injury in the eye of Bipin Yadav. Thereafter, Kailu Yadav resorted to fire which caused injury in the right hand. Mastan Singh and Pampam Singh also resorted to fire causing injury to Bipin Yadav. Thereafter, firing was made on Pintu Yadav @ Navin Yadav who jumped into the water. Yogendra Yadav fired at Pintu Yadav causing injury on his neck and second firing was made by Santosh Yadav which caused injury to the neck of Pintu Yadav.

It is submitted by learned counsel for the petitioner that the petitioner is only a member of unlawful assembly and specific accusation of firing is not against the petitioner.

Though, the accusation is firing is not against the petitioner, but considering the nature of accusation and the fact that the petitioner is accused in two other cases, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Muffasil (Munger) P.S. Case No. 96 of 2011

pending in the court of learned Chief Judicial Magistrate,
Munger.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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