

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24005 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -BANIAPUR District- SARAN

Sanjeev Kumar @ Pappu Sipahi, son of late Sawaliya Kuwar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the informant : Mr. B. K. Sinha, Advocate

Mr. H. S. Sundram, Advocate

For the State : Mr. Hirday Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 30-05-2016 Heard learned counsels for the petitioner, informant and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 307, 120B, 387/34 of the Indian Penal Code.

Prosecution case is that on 01.02.2016, while the informant was returning to his house from his go-down, the accused persons including the petitioner came on motorcycle and on the order of co-accused Abhimanyu Singh, co-accused Jitendra Sah opened fire, as a result, the informant fell down though did not receive any injury but in the meantime the

petitioner Sanjeev Kumar fired causing injury on the left shoulder of the informant. On the instigation of co-accused Alok Kumar, co-accused Amrendra Singh fired on the informant causing injury on his jaw. Co-accused Amit Kumar @ Tuntun also fired on the informant causing injury on his right shoulder.

It is submitted by learned counsel for the petitioner that on the eve of 'Panchayat election, the accusation has been levelled to restrain the informant from contesting 'Panchayat, election. For the occurrence of 01.02.2016, the Fardbeyan was recorded on 02.02.2016 and the FIR was registered on 03.02.2016 but it reached to the court of the learned Chief Judicial Magistrate on 05.02.2016, which suggests that the FIR has been registered by antedating.

Learned Sr. counsel for the informant submits that there is specific accusation against the petitioner is of causing fire arm injury and corresponding injury has been found by the doctor. Moreover, the petitioner has serious criminal antecedent.

The aforesaid facts may constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Baniyapur P.S. Case

No.33/2016, pending before the learned Judicial Magistrate, 1st
Class, Saran at Chapra.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

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