

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53893 of 2015

Arising Out of PS.Case No. -313 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Ravishankar Singh @ Ravi Son of Santosh Singh, Resident of Village-
Jaitpur Khurd, P.S- Bhagwanpur, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.54904 of 2015

Arising Out of PS.Case No. -313 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Ashutosh Pandey @ Asutosh Pandey Son of Santosh Pandey, Resident of
Orgain, P.S. Bhangwanpur, District Kaimur (Bhabhua), Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.53893 of 2015)

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Madan Kumar(App)

(In Cr.Misc. No.54904 of 2015)

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 29-02-2016 Heard the Counsels for the petitioners and Mr. M.

Dayal, APP for the State. Both the applications arise out of

Mohania P.S. Case No. 313 of 2015 and, as such, they have been

heard together with the consent of the parties.

The petitioners seek privilege of anticipatory bail in a case
registered under Sections 302/34 and Section 27 of the Arms Act.

While the informant along with his mother was travelling
on bus, it is alleged that at Akorhi More, two unknown persons

covering face and armed with country made pistol, entered into the bus and tried to pull out one passengers. Resistance was offered whereafter bulled was fired which hit the chest of the deceased and piercing the chest, the bullet also hit the thigh of the mother of the informant who got injured.

Contention of the petitioners is that they are not named in the F.I.R. At the initial stage of the investigation, their name did not transpire. The Police later arrested one Imran Khan who made an exculpatory statement naming these two petitioners. In the facts and circumstances, they deserve anticipatory bail.

Counsel for the State opposed the prayer and contended that in a very dare devil manner, the occurrence was committed in order to loot the jewellery which the deceased was carrying after purchase. The investigation is still under way.

The seriousness of allegation and the manner it was committed as also the fact that the investigation is still under way, I am not persuaded to extend them the privilege of anticipatory bail.

Prayer is accordingly refused.

(Kishore Kumar Mandal, J)

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