

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53790 of 2015

Arising Out of PS.Case No. -293 Year- 2015 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

1. Shambhu Sahni son of Sri Bhangji Sahni
2. Ruplal Rai son of Sri Gagandeo Rai
3. Ranjit Thakur son of Sri Rudal Thakur, All residents of village-
Roshanpur Sapahan, P.S.- Sugauli, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.55229 of 2015

Arising Out of PS.Case No. -293 Year- 2015 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

KRISHNA THAKUR son of Sri Rudal Thakur, residents of village-
Roshanpur Sapahan, P.S.- Sugauli, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.53790 of 2015)

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rajiv Nayan (App)

(In Cr.Misc. No.55229 of 2015)

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rajendra Nath Jha(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 15-02-2016 Heard Mr. Verma, the counsel for the petitioners, the
informant as well as Mr Dayal, APP for the State.

Both the applications arise out of the same FIR. They
have thus been heard together with the consent of both the parties.

The petitioners apprehend their arrest in Sugauli P.S. Case No. 293 of 2015 registered under sections 307 and 302 IPC. It is a case of indiscriminate firing by the accused persons cited in the FIR in which one person received fatal injury, whereas three of them received gunshot injuries.

Contention of the petitioners is that on account of possession of the land the occurrence had taken place. There is a counter version also in the shape of an FIR lodged by the father of the deceased in which the allegation of causing fatal injury is attributed to the informant of the present case.

Counsel for the State as well as the informant, on the other hand, point out that the counter version was found a fake case. The allegation attributed to petitioner of Cr. Misc. No. 55229 of 2015 is of causing injury by gunshot to the driver who died instantaneously at the spot. The allegation of causing gunshot injuries to others is attributed to the 03 petitioners of Cr. Misc. No. 53790 of 2015. The learned Sessions Judge has noted that the injury at the hands of the petitioner of Cr. Misc. No. 53790 of 2015 was caused by gunshot. It is also submitted that some of the accused of this case(s) have been refused anticipatory bail by this Court vide order dated 15.12.2015 passed in Cr. Misc. No. 51292 of 2015.

Considering facts and circumstances of the case, I am not persuaded to extend the privilege of anticipatory bail to the petitioners. The bail application(s) are rejected.

(Kishore Kumar Mandal, J)

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