

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34575 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Ratnakar Singh, Son of Kameshwar Singh, Resident of Village- Baban
Bigha, P.S.- Barbigha, District- Sheikhpura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Upendra Mishra, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 05-10-2016

Heard both sides.

The Petitioner apprehends his arrest in Giriyak
(Katarisarai) P.S. Case No.163 of 2015 under Sections 302,
120(B)/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The informant alleged that there was dispute with
regard to partition of land between his father and uncle and the
dispute was going on for two months. On 19.7.2015, his father and
cousin started quarreling for the partition of the property. In the
meantime, Rukmini Devi took out a gun and gave to her father-in-
law, who fired causing injury to Lalan Singh. The police came and
took Lalan Singh for treatment. It is further alleged that the



information was received regarding the arrival of the police in the village, then the co-accused Bholi Singh, Sanjeev Kumar @ Saina Singh, Rukmini Devi and Ankit Kumar, in conspiracy hatched up by Ratnakar Singh, the petitioner, came out from the house and made indiscriminate firing. In the firing, Ramdeo Singh, the father of the informant and the villager Pramod Singh got fire arm injury and both died.

Learned counsel for the petitioner submits that the petitioner has no concern with the affairs of the deceased and the family members of the informant. Co-accused Sanjeev Kumar @ Saina Singh and Rukmini Devi have already been granted anticipatory bail vide order passed in Cr. Misc. No.28062 of 2016 and Cr. Misc. No.23914 of 2016.

Petitioner is not alleged to have fired, the only allegation against the petitioner is that he hatched up a conspiracy and in pursuance of that Bholi Singh fired causing the death of two persons and injuring Lalan Singh but no part of conspiracy is revealed during the course of investigation. The petitioner happens to be brother-in-law of the son of Bholi Singh and except this fact, there is no material against the petitioner.

Considering the facts aforesaid, the petitioner above named, in the event of arrest or surrender before the learned Court

below within a period of four weeks from today, is directed to be released on anticipatory bail, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IIIrd, Nalanda at Bihar Sharif in connection with Giriyak (Katarisarai) P.S. Case No.163 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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