

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43626 of 2016

Arising Out of PS.Case No. -135 Year- 2016 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Madan Singh, Son of Late Goga Singh, Resident of Village- Mathia, P.S.-
Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 17-10-2016 Heard.

The petitioner apprehends his arrest in connection with
Bikramganj P.S. Case No.135 of 2016 registered under Sections
302/34 of the Indian Penal Code besides Section 27 of the Arms
Act, pending in the court of the Judicial Magistrate, First Class-
cum-A.C.J.M., Bikramganj (Rohtas).

The allegation of the informant Vinay Kumar is that on
12.07.2016, his father had gone to the field for sowing the paddy
but when he did not return till 08.00 P.M in the night to take
dinner, the informant went to the field where the co-accused
Shashikant Rai was also present. After taking the dinner by his
father, when the informant was returning to his house, then he saw



four persons, namely, Kameshwar Rai, Joat Rai, Madan Singh (petitioner) and Dadan Singh armed with weapons going towards the field and talking with the co-accused Shashikant Rai. When the informant reached near the village about 500 yards away from his field, he heard the cry of his father. When the informant turned and started going towards his father, he saw all the five persons chasing to his father, who was fleeing towards village. Thereafter, all the five persons surrounded the father of the informant and out of them, the co-accused Shashikant Rai fired from his pistol at him. At that time, the co-accused Joat Rai also fired from his pistol at the body of the father of the informant. The cause of occurrence is said to be the dispute of Panchayat Election.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. alongwith four other accused persons but the specific allegation of making firing is against the co-accused Shashikant Rai and Joat Rai and on post-mortem examination of the deceased, only two firearm injuries were found on his person. The petitioner is only said to be a member of an unlawful assembly.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am

not inclined to grant anticipatory bail to the petitioner.
Accordingly, the prayer of the petitioner for grant of anticipatory
bail stands rejected.

(Rajendra Kumar Mishra, J)

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