

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9394 of 2016

Arising Out of PS.Case No. -36 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

=====

Ram Prakash Singh S/o Banshidhar Singh, resident of village- Bhagiratha,
P.S.- Dinara, District- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar (APP)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 24-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in jail custody since
11.02.2015 in connection with Sessions Trial No. 309 of 2015
arising out of Dinara P.S. Case No. 36 of 2015 pending in the
Court of learned Additional Sessions Judge-III, Rohtas at Sasaram
registered for the offences punishable under Sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that while informant along
with his father and mother was putting soil in the newly
constructed house, petitioner's cloth turned over the bamboo
sticks, which were erected on the periphery of the house, as such,
he started abusing them and on protest being made by the

informant, he called four persons from his house, who were armed with katta and started firing. Petitioner is alleged to have fired on the informant's father, which hit him on chest and he died. Occurrence is said to have taken place due to land dispute.

It has been submitted by the counsel for the petitioner that petitioner has no criminal antecedent, as is evident from paragraph-3 of this petition and has falsely been implicated in the aforesaid case due to land dispute. He further submits that the petitioner is a farmer and is the bread earner of his family.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report and the postmortem report also supports the prosecution case.

Be that as it may, since the allegation upon the petitioner is specific and is corroborated by the postmortem report, I am not inclined to grant the privilege of bail to the petitioner. This application is, accordingly, rejected.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--