

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10503 of 2017**

Arising Out of PS.Case No. -426 Year- 2015 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Dinesh Kumar Singh @ Dinesh Singh, Son of Late Ram Sahay Singh,  
Resident of village - Chandpura Saidabad, P.S. Bidupur, District - Vaishali

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Mukesh Kumar, Advocate.

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

4      17-04-2017                      Heard both sides.

The petitioner apprehends his arrest in Bidupur  
P. S. Case No. 426 of 2015 registered for the offences under  
Sections 147, 148, 149, 341, 323, 448, 380 and 302 of the Indian  
Penal Code and Section 27 of the Arms Act.

The informant alleged that the petitioner along with  
other accused persons entered into his house with weapon and  
fired causing injury on the head of his father.

Learned counsel for the petitioner submits that 80  
years old father of Suresh Kumar Singh died due to some other  
reasons and in different manner, but on account of the land  
dispute, the petitioner and other persons have been falsely  
implicated in the case. The petitioner is an employee in Indian



Army as Lance Naik. The commanding officer wrote a letter to the District Magistrate and Superintendent of Police stating therein that on the date of occurrence i.e. on 17.09.2015, the petitioner was present in his regiment. In the FSL report, it has not come that the bones were fragmented in pieces by the fire arm injury, but on the other hand, learned counsel for the informant submits that the petitioner is alleged to have fired.

Considering the facts aforesaid and the nature of allegations made against the petitioner that it was the petitioner who is alleged to have fired causing the death of deceased, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, this application is rejected.

However, if the petitioner surrenders in the Court below, the learned court below shall consider the prayer for regular bail of the petitioner without being prejudiced by the order of this court.

**(Prabhat Kumar Jha, J)**

Mishra/-

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