

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18333 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -BRAHMPUR District- BUXAR

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Surya Kumar Singh Son of Chhatrapati Singh resident of village Rahathua,
P.S. Brahmpur, District Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mrs. Indu Bala Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 11-07-2017 Heard both sides.

The petitioner apprehends his arrest in Brahmpur P.S.
Case No. 52/2017, registered for the offences punishable under
Sections 302, 34 of the Indian Penal Code and section 27 of the
Arms Act.

The informant alleged that Raman Singh, Raju Singh
Yadav, Santosh Singh and Surya Kumar Singh (petitioner) having
armed with pistol were chasing the father of the informant from
their motorcycle. Raju Singh Yadav fired which hit the father of
the informant and father of the informant fell down on the ground.
Thereafter, Raman Singh also fired on the father of the informant
and he died on the spot.

Learned counsel for the petitioner submits that



petitioner is an old man. There is no allegation of firing against the petitioner, but it transpires from the F.I.R. itself that all the four persons including the petitioner having armed with pistol were chasing the father of the informant namely, Vijendra Yadav and firstly Raju Singh Yadav fired and thereafter, Raman Singh fired and father of the informant died on the spot.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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