

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29722 of 2017

Arising Out of PS.Case No. -84 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Sanjay Singh, son of Late Uma Singh, resident of Village- Dharupur,
P.O.+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. Kanhaiya Pandey

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
04.04.2017 in connection with Bikramganj P.S. Case No. 84 of
2017 for offences punishable under Sections 341, 504, 324, 302,
307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he was fixing a gate on the boundary of his land his
uncle Shri Suryadeo Singh against whom he had property dispute
since last 10 years, along with five other co-accused came
variously armed and resorted to indiscriminating firing, as a result
the informant, one Chhotu Kumar and other persons received



injury and one Saleh Khatoon succumbed.

It has been submitted by the learned counsel for the petitioner that petitioner is innocent and allegation is general and omnibus. He submits that there are four cases pending against him lodged more than 20 years back and that charge sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner. He submits that the deceased Saleh Khatoon is not a family member of the informant side and none of the family members of the deceased have pinpointed the petitioner as having committed the offence.

However, learned counsel for the informant as well as learned APP for the State oppose the prayer for bail stating therein that the informant was an eye witness and all the accused persons resorted to indiscriminating firing in which number of persons have been grievously injured and one Saleh Khatoon succumbed and almost all the witnesses have supported the prosecution case. They further submit that one of the co-accused namely Satya Narayan Singh @ Satye Naran Singh, who was armed with country made pistol, his bail has been rejected by a coordinate Bench of this Court in Cr. Misc. No. 29205 of 2017 on 18.07.2017.

Considering the facts and circumstances and the



materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Bikramganj P.S. Case No. 84 of 2017, pending in the court of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas.

Application is, accordingly, rejected.

Let the trial of the petitioner be expedited.

(Nilu Agrawal, J)

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