

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49023 of 2017

Arising Out of PS. Case No.-396 Year-2017 Thana- PHULWARI District- Patna

1. Lallu Singh @ Lalan Prasad Singh son of Jairam Singh @ Virendra Nath Singh
2. Joker @ Chintaharan @ Sinta haran @ Chinaharan Prasad Singh son of
Jairam singh @ Virendra Nath Singh
3. Ranjeet Singh @ Ranajeet Kumar son of Nepali Singh @ Ram Ekbal Singh
4. Rajan Kumar @ Ranjan Kumar son of Lalan Prasad Singh
All R/o village- bhelura Rampur, P.s.- Janipur, District- Patna
... .. Petitioners

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5
For the Opposite Party/s : Mr. SMT. SAHIN BEGAM

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 13-12-2017 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners submits that petitioner
no. 3 Ranjeet Singh @ Ranjeet Kumar has been arrested during
the pendency of this application and as such his prayer of pre-
arrest bail has become infructuous and prayer has been made to
withdraw his prayer of pre-arrest bail.

Prayer is allowed, accordingly, this application, so far as
petitioner no. 3 Ranjeet Singh @ Ranajeet Kumar is concerned,
stands dismissed as withdrawn.

The petitioners no. 1, 2 and 4 apprehend their arrest in
connection with Phulwari Sharif (Janipur) P. S. Case No. 396 of



2017 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, when the informant was cutting earth of his land then, the petitioners and other co-accused came and started abusing the informant and the petitioner no. 1 opened fire with country made katta 4-5 times, resulting, two bullets hit in his left hand and the informant became unconscious and fell down. In the meantime other accused also started assaulting and dragged him.

Submission is of false implication and that due to land dispute the occurrence has taken place, the wife of petitioner no. 1 has filed an application before the S.H.O., Janipur Police Station but no case was registered. As a matter of fact, the wife of the petitioner no. 1 was dragged by informant and his men, Complaint Case no. 2276 (C) of 2017 has been filed in this regard, the petitioner no. 1 is a retired army personnel, petitioner no. 2 is the younger brother of petitioner no. 1 and petitioner no. 4 is a student of BBA and as such the petitioners deserve sympathetic consideration. The informant has been treated by a private doctor and that doctor has given the injury report.

Learned APP opposes the prayer of bail by submitting that



in paragraph 27 of the case diary injury report is mentioned.

In the facts and circumstances stated above, considering the allegation attributed against petitioner no. 1, I am not inclined to grant privilege of pre-arrest bail to him, accordingly, his such prayer stands rejected.

So far as petitioners no. 2 and 4 above named are concerned, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Priya Shekhar, J. M. Ist Class, Patna in connection with Phulwari Sharif (Janipur) P. S. Case No. 396 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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