

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11623 of 2017

Arising Out of PS.Case No. -186 Year- 2016 Thana -CHARPOKHARI District- BHOJPUR

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Ram Ayodhya Singh, S/O Late Ram Dayal Singh, Resident of Vill –
Englishpur, P.S. - Charpokhari, Dist - Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 10-04-2017 Heard both sides.

The petitioner seeks bail in Charpokhari P.S. Case No. 186 of 2016, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant, brother of the deceased, alleged that while he and his brother Nishant Singh, the deceased, were returning after easing out Ram Ayodhya Singh and Ajay Singh having armed with firearms came there and made indiscriminate firing on his brother Nishant Singh.

Learned counsel for the petitioner submits that the investigating officer took the statement of the informant and one another witness but did not take the statement of other witnesses. On the basis of statement of the informant charge sheet is



submitted. It is further submitted that one witness stated that during the scuffle the deceased took out the pistol which hit the deceased, himself, but it appears that the supervising authority took the statement of such witness whose statement was not recorded by the investigating officer. During course of investigation, the informant and his brother have stated that it was the petitioner and his son who made indiscriminate firing causing death of Nishant Singh on the spot. The post-mortem report also corroborates the ocular versions of the informant. The petitioner has got criminal antecedent and he is accused in as many as seven cases out of which one case is registered under Section 302 of the Indian Penal Code also.

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

(Prabhat Kumar Jha, J.)

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