

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15602 of 2017

Arising Out of PS.Case No. -201 Year- 2016 Thana -DIGHWARA District- SARAN

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Dilip Singh, Son of Late Bharat Singh, Resident of Village- Azad Nagar,
Police Station- Chapra Mufassil, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 09-05-2017 Heard both sides.

The petitioner apprehends his arrest in Dighwara P.S.
Case No. 201/2016, registered for the offences punishable under
Section 302 and other sections of the Indian Penal Code and
section 27 of the Arms Act.

The informant alleged that Manu Singh @
Abhimanyu Singh son of the petitioner had committed theft in his
house, but since the accused is his neighbour he did not lodge the
case. Rajeev Ranjan Singh son of the informant complained to the
father of Manu Singh. The informant further alleged that petitioner
Dilip Singh, his wife Ganita Devi and his son Manu Singh
threatened to kill his son. The informant further alleged that Manu
Singh came to his house and made indiscriminate firing. The son



of the informant along with others came to Dighwara market, after getting down from the Bolero the son of the informant went to a mobile shop to change the cover of mobile, but in the meantime, Manu Singh and 03 unknown accused persons who were sitting from before in that mobile shop, picked up quarrel and Manu Singh fired at his son who died on the spot.

Learned counsel for the petitioner submits that the petitioner is the father of Manu Singh. The deceased was accompanying with Dev Vrat Tiwari, Abhay Tiwari and others, but nobody saw the petitioner near the place of occurrence. Manu Singh is in custody. The petitioner and his wife are made accused only because they happen to be the father and mother of the accused Manu Singh.

On the other hand, learned counsel for the informant as well as the learned A.P.P. opposed the prayer for bail and submitted that the petitioner is a Home-guard constable. His motorcycle was recovered from an abandoned place. The police is not investigating the case properly only because the petitioner happens to be a Home-guard constable.

Considering the facts aforesaid and the fact that the informant named the petitioner, but did not make any allegation against him, Manu Singh the son of the petitioner who is alleged



to have fired causing the death of the son of the informant and the wife of the petitioner has already been enlarged on anticipatory bail and the case of the petitioner stands on the same footing, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate 2nd, Saran at Chapra in connection with Dighwara P.S. Case No. 201/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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