

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51625 of 2017

Arising Out of PS.Case No. -4 Year- 2015 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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Rana Ranvijay Singh Son of Sri Ram Suresh Singh Resident of Village-
Fatehpur, P.S. Raghopur, District-Vaishali. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Vishwanath Prasad Singh, Sr. Adv.
Mr. Ashok Kumar Mishra, Adv.
Mr. Pramod Kumar Singh, Adv.
For the Informant : Mr. Kumar Samarjeet Singh, Adv.
For the State : Mr. Jagdhar Prasad, A.P.P

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 22-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Raghopur P.S. Case No.
4 of 2015 registered under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner along
with other accused persons surrounding the son of the informant,
namely, Manoj Kumar Singh resorted firing on his neck while
other co-accused persons resorted firing on various parts of his
person resulting into his death.

It is submitted by learned counsel for the petitioner
that the postmortem report does not corroborate the aforesaid case
of the prosecution. As per the prosecution case, no one had



resorted firing on the shoulder of the deceased but the doctor has found two fire arm injury on the aforesaid part of the deceased. Likewise as per the prosecution case, one of the accused assaulted on the leg of the deceased but the doctor has not found any firearm injury on the leg of the deceased. It is further submitted that the petitioner was not present at the place of occurrence rather he was travelling in train without ticket and was caught by the S.E. Railway and fined for that. It is also submitted that all the witnesses examined by the I.O. are family members of the informant. The petitioner has been languishing in custody since 30.11.2016.

On the other hand, learned A.P.P. and learned counsel for the informant have submitted that there is specific allegation of resorting firing on the neck of the deceased by the petitioner and besides him other accused persons resorted firing on various part of the person of the deceased. In the postmortem report, the doctor has also found neck injury inflicted by the firearm on the person of the deceased as ante mortem injury. All the witnesses, who happen to be eye witnesses of the occurrence have unanimously divulged the factum of witnessing resorting firing by the petitioner on the neck of the deceased. It is further submitted that the case of alibi is not a matter of consideration at



this stage rather at the trial.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the learned lower court is directed to conclude the trial preferably within nine months from the date of receipt/production of a copy of this order.

(Prakash Chandra Jaiswal, J)

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