

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12506 of 2017

Arising Out of PS.Case No. -8 Year- 2015 Thana -BAHADURPUR District- PATNA

=====

1. RAUSHAN KUMAR @ ROSHAN KUMAR, Son of Tejnarayan Singh,
Resident of Village Rampur Dumra, P.S.- Maranchi, Distirct- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 27-04-2017

Heard both sides.

The petitioner seeks bail in Bahadurpur P.S. case No. 08 of 2015 under Section 324, 326, 307/34, 120B of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that on 12.01.2015 at about 5.30 in the evening he and his friends were talking with each other but, in the meantime, Pratap Singh, Raushan Kumar, the petitioner, and Manish Singh came on a motor cycle. Pratap Singh and Raushan Kumar made indiscriminate firing causing injury on the chest and hand of the informant.

Sri Yogesh Chandra Verma, the learned senior counsel for the petitioner, submits that omnibus and general allegation of firing is made against Pratap Singh and Raushan Kumar, the petitioner, but no specific allegation is made that firing made by



the petitioner hit on which part of the body of the informant. The occurrence took place in the month of January at about 5.30 in the evening, there was darkness and the source of identification has not been disclosed. In the FIR itself it is alleged that the accused persons made firing only on presumption that the informant is supporter of Viveka Pahalwan but it appears that informant and other witnesses have made specific allegation that the petitioner and Pratap Singh made indiscriminate firing through window which hit on the chest and hand of the informant. Of course, the petitioner has remained in jail for about a year but from perusal of the case diary as well as paragraph 3 of the bail petition, it appears that petitioner has got criminal antecedents and he is accused in six criminal cases, including the cases under Section 302 of the IPC and under Section 27 of the Arms Act.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the same is rejected.

The petitioner may renew his prayer for bail after six months.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

