

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1855 of 2018

Arising Out of PS.Case No. -25 Year- 2017 Thana -TARAIYA District- SARAN

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Ajay Kumar Singh @ Ajay Singh Son of Sheonath Singh R/o Village
Madhavpur Bara, P.S. Tariyani, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivanand Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-02-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

This is the second round of litigation. Earlier the prayer
for bail was rejected by this Court vide order dated 25.07.2017
passed in Cr. Misc. No. 22386 of 2017.

Petitioner seeks bail in connection with Sessions Trial
No. 378 of 2017, CIS-318 of 2017 corresponding to Tarraiya P.S.
Case No. 25 of 2017 for offences punishable under Sections 147,
148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code
and 25 (1-b) a, 26, 37 and 35 of the Arms Act.

The prosecution case, as lodged by the informant, is
that the petitioner along with other co-accused entered his house



and started indiscriminate firing upon which his brother Manoj Singh received injuries.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that he is the next door neighbor, bears no criminal antecedent and has been falsely implicated because of being an inimical terms with the informant side regarding some property dispute. It is further submitted that there is general and omnibus allegations against all the co-accused and no specific allegation of assault by gunshot has been alleged against the petitioner and some of the co-accused have been granted the privilege of bail by coordinate Benches of this Court.

However, learned counsel for the informant as well as learned APP for the State vehemently oppose the prayer for bail stating therein that the victim has named the petitioner as is evident from paragraph-52 of the case diary as multiple pellet injury on the skull of the brother of the informant has been found and has been referred to P.M.C.H.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner in connection Sessions Trial No. 378 of 2017, CIS-



318 of 2017 corresponding to Tarraiya P.S. Case No. 25 of 2017,
pending in the court of learned Additional Sessions Judge-11th,
Saran at Chapra.

(Nilu Agrawal, J)

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