

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17566 of 2018

Arising Out of PS.Case No. -5 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Ramesh Singh S/o Jagarnath Singh, R/o Village- Panshalawa, P.S.-
Patahi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. B.N.Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 17-05-2018 Heard both sides.

The petitioner apprehends his arrest in Patahi P.S. Case No.5/2017, registered under Sections 307, 326 and other minor Sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that while Ajay Sah was watching movie on his mobile and when he came out to urinate, two persons asked him to surrender. The informant switched on his torch but in the meantime they opened fired. The informant identified Ramesh Singh and Munchun Singh, out of five persons, who managed to flee away.

Learned counsel for the petitioner submits that the co-accused Munchun Singh has been granted bail vide order dated



13.12.2017 passed in Cr. Misc. No. 53794 of 2017 by Co-ordinate Bench of this Court. There is no specific allegation of firing against the petitioner. The injury found on the person of the injured is abrasion and laceration on right arm and right chest wall but it appears that the petitioner and other accused persons had come to the house of Ajay Sah, where the informant was sitting there and when he came out to urinate, they opened fire. The informant got two injuries. The doctor has of course not opined about the nature of injuries and the weapon used for causing injury but the informant alleged that he got firearm injury.

Taking into consideration the nature of the allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected in in Patahi P.S. Case No.5/2017, pending in the court of A.C.J.M.- 8th, East Champaran at Motihari.

If the petitioner surrenders in the court below, the learned court below shall consider the regular bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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