

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6276 of 2019

Arising Out of PS. Case No.-147 Year-2018 Thana- SALAKHUA District- Saharsa

Ashok Singh, Son of Late Mahavir Singh, Resident of Village- Bahorwa
Bharna, Police Station- Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

The petitioner is languishing in custody since 24.07.2018 in connection with Salkhua P.S. Case No.147 of 2018 registered for the offences punishable under Sections 341, 324, 504, 302, 34 of the Indian Penal Code and Sections 25(1-B)a, 26, 37B, 27 of the Arms Act.

Prosecution case as per the written report of Madan Singh submitted to S.H.O. Salkhua P.S. is to the effect that on 04.07.2018 at 1.30 P.M., the son of the informant Harinandan Kumar was talking to his mother in the house, in the meantime, the own brother of the informant, the petitioner, Ashok Singh, and his three sons, namely, Ravi Shankar Singh, Abhimanyu Singh and Dharmveer Kumar Singh and two unknown persons came and on the order of the petitioner, the co-accused persons assaulted the son of the informant, as a result, he fell down on the ground and thereafter Ravi Shankar Singh fired upon the son of the informant causing injury on his arm. Thereafter, co-accused, Abhimanyu Singh



fired upon the informant's son causing injury on his leg. The co-villagers chased the accused persons but they escaped from the scene. Subsequently, the informant's son succumb to injuries.

It is submitted by learned counsel for the petitioner that the accusation is of assault and firing is against other co-accused persons. Statement has made made in para 3 of the bail application that the petitioner is not having criminal antecedent.

Learned A.P.P. has vehemently opposed the prayer for bail and submits that the intention of the petitioner along with other accused persons was to kill the son of the informant who succumb to the injuries.

Considering the fact that specific accusation of assault and firing on the son of the informant has not been levelled against the petitioner and the investigation has already been concluded, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Saharsa in connection with Salkhua P.S. Case No.147 of 2018.

(Dinesh Kumar Singh, J)

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