

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22489 of 2019

Arising Out of PS. Case No.-399 Year-2018 Thana- MUNGER MUFFASIL District- Munger

1. Aghnu Singh @ Raghu Nandan Singh, Son of Suresh Singh, Resident of Chandika Ashtna, Tilkarampur, P.S.- Muffasil, Distt - Munger.
2. Lakhan Singh, Son of Suresh Singh, Resident of Chandika Ashtna, Tilkarampur, P.S.- Muffasil, Distt - Munger.
3. Daulat Kumar, Son of Lakhan Singh, Resident of Chandika Ashtna, Tilkarampur, P.S.- Muffasil, Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-04-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 and 506/34 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the fardbeyan of Kundan Kumar recorded by S.I., R.N. Akela, dated 11.11.2018 at 12.30 A.M., is to the effect that on 10.10.2018 at about 9.00 P.M., the informant was fishing, in the meantime, all the petitioners came and surrounded the informant. Thereafter, petitioner no.1, Aghnu Singh @ Raghu Nandan Singh and petitioner no.3, Daulat Kumar resorted to fire upon the informant, causing



injury below his right knee. It is further alleged that earlier also the petitioners assaulted the brother of the informant, causing serious injuries.

It is submitted by learned counsel for the petitioners that for the occurrence of 10.10.2018 at 09.00 P.M., fardbeyan has been recorded on 11.11.2018 at 12.30 A.M. and FIR has been registered on 12.11.2018 on 05.30 P.M. without any explanation for such delay. It is further submitted that the accusation of causing firearm injury to the informant is against two accused persons i.e. petitioner nos.1 and 3, but only one firearm injury has been found below the right knee of the informant. A statement has been made in paragraph no.3 of the petition that apart from the present case, petitioner no.1 is accused in eleven cases in which he is on bail, petitioner no.2 is accused in three cases and so far as petitioner no.3 is concerned he is not having any criminal antecedent.

Learned APP submits that there is specific accusation of firing against the petitioner nos.1 and 3.

Considering the fact that there is specific accusation of firing against petitioner nos.1 and 3 and petitioner nos.1 and 2 are having serious criminal antecedent, this Court is not inclined to grant privilege of anticipatory bail to the petitioners



in connection with **Muffasil P.S. Case No.399 of 2018** pending
in the Court of learned **CJM, Munger.**

Let the learned Court below consider the prayer for
regular bail of the petitioners, if they surrender before the
learned Court below, within a period of six weeks.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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