

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1989 of 2019

Arising Out of PS. Case No.-754 Year-2018 Thana- DEHRI TOWN District- Rohtas

Chandan Singh @ Chandan Kumar Singh S/o Sri Krishna Singh R/o village-
Kirhindi, P.S.- Sheosagar, District- Rohtas (Sasaram). Appellant/s
Versus

The State of Bihar. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Thakur, Advocate.
Mr. Shashank Shekhar, Advocate.
Ms. Swati Sinha, Advocate.
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 03-07-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The appellant seeks bail in connection with Dehri
Town P.S. Case No.754 of 2018 registered under Sections 341,
307 & 120-B/34 of the Indian Penal Code, Section 27 of the
Arms Act and Section 3 (i) (r) (w) of the Scheduled Castes and
Schedules Tribes (Prevention of Atrocities) Act, 1989.

In course of proceeding to school by the informant
four motorcycle borne criminals made attempt to dash him but
in vain. In the meantime, one of the miscreants, namely,
appellant Chandan Singh @ Chandan Kumar Singh alighting
from the motorcycle resorted firing upon him twice, then all the
accused persons left the scene.

It is submitted by learned counsel for the appellant
that no such occurrence as alleged ever took place. Appellant



has been falsely implicated in the case due to animosity and number of litigations are pending between the parties. Barring the informant, none of the witnesses arrived at the place of occurrence and supported the complicity of the appellant in the occurrence. He has been languishing in custody since 17.01.2019. Similarly situated co-accused Jetor Singh has been enlarged on bail by a coordinate Bench of this Court vide order dated 28.03.2019 passed in Cr. Appeal (SJ) No.1073 of 2019.

Per contra, learned Spl. PP for the State opposing the prayer for bail submitted that there is direct and specific allegation against the appellant of resorting firing upon the informant and the informant happens to be injured witness of the case. The doctor has found two gun shot injury on the chest of the informant and opined the injury as grievous in nature. The appellant of Cr. Appeal (SJ) No.1073 of 2019 does not happen to be assailant rather was plying the bike whereas this appellant is the main assailant.

In the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. The prayer for bail is hereby rejected.

Accordingly, this appeal is dismissed.

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(Prakash Chandra Jaiswal, J.)

