

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35565 of 2019

Arising Out of PS. Case No.-372 Year-2018 Thana- SHIVSAGAR District- Rohtas

1. NIKI SINGH @ NIKI KUMAR Son of Shiv Pujan Singh
2. Sampat Singh Son of Late Ramjee Singh both Resident of Village - Bamhaur, P.S.- Sheosagar, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 341, 323, 324, 307, 325, 326, 379, 504, 506, 427 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case as lodged by the informant is that he was daily abused and threatened through phone bearing no. 8298405682 and he was asked that why he was talking with the girl of village. On quarry, the informant was called by the phone holder on 14.11.2018 on Pawanshut (Ghorghat) petrol pump. When the informant along with his friend Brajesh Kumar on 14.11.2018 reached there, the accused persons along with Nikki



Singh and Sampat Singh (petitioners) present there having armed with lathi, danda, hocky sticks and pistol(firearm) and started assaulting the informant and his friend causing fractured head injury and fractured hand. He was also shot by pistol causing bullet injury on his thigh. It is alleged that petitioners having pistol in their hand shot him. They have also broken the Apachi Motorcycle and stolen away golden chain of two Bhar and cash of Rs. 50,000/-, A.T.M. card, PAN card, Adhar card and two golden ring from the informant.

It has been submitted on behalf of the petitioners that this case is counter version of Sheosagar P.S. Case No. 373 of 2018 dated 15.11.2018 lodged by one Sampat Singh (petitioner no. 2) against the informant and others in which petitioner Sampat Singh and co-accused have received grievous injury. It is further submitted that there is general and omnibus allegation levelled against the petitioners.

Considering the facts that there is direct allegation against the petitioners of firing upon the informant, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, their payer for anticipatory bail is rejected in connection with Sheosagar P.S. Case No. 372 of 2018 pending before the court of the learned A.C.J.M., Sasaram, Distict-



Rohtas.

Accordingly, the application is dismissed.

However, petitioners are directed to surrender before the learned court below and make prayer for bail, the learned court below shall dispose of the bail petition on the same day without prejudice of this order.

(Anjani Kumar Sharan, J)

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