

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66796 of 2018

Arising Out of PS. Case No.-208 Year-2018 Thana- SAHPUR District- Bhojpur

Arjun Singh S/o Ramendra Singh, R/o Village- Sarana, P.S.- Shahpur,
District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr. Binod Kumar 2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-01-2019 Heard learned counsels for the parties.

The petitioner being the Headmaster of the school is apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,326,307,302 and 504/34 of the IPC and Section 27 of the Arms Act.

The prosecution case as per the Fardbeyan of Raj Kumar Singh recorded by ASI, Sahur Police Station on 10.7.2018 at 10.35 A.M. at the Referral Hospital, Shahpur, is to the effect that the nephew of the informant, namely, Bittu Singh was assaulted by co-accused Bhim Singh and the petitioner Arjun Singh. When the father of the informant went to protest, the petitioner and co-accused Bhim Singh caught hold of arms of the informant's father and co-accused Ramendra Singh pierced spear on the chest of the informant's father. Thereafter, when the



informant reached to rescue his father, co-accused Birendra Singh assaulted Bir Bahadur Singh, Arjun Singh and Aswani Singh. In the meantime, family members of co-accused Ramendra Singh resorted to fire.

It is submitted by learned counsel for the petitioner that the accusation of piercing spear is not against the petitioner. The petitioner has not caused any injury and the occurrence took place for a petty dispute. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP as well as learned counsel for the informant that the petitioner was sharing common intention with other accused persons including Ramendra Singh, who pierced spear in the chest of the informant's father who succumbed to the injury.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner. However, in view of the nature of accusation against the petitioner, it is a case for consideration of prayer for regular bail by the learned court below in case the petitioner surrenders within six weeks in connection with Shahpur P.S. Case No. 208 of 2018 pending in the Court of the learned ACJM XIV, Bhojpur



at Ara.

With the aforesaid observation/direction, this application is disposed of.

(Dinesh Kumar Singh, J)

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