

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71296 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- BIHIA District- Bhojpur

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Rameshwar Singh @ Chikhuri Singh @ Mithuri Singh @ Ramishwar Singh
Son of Late Brij Bihari Singh @ Brija Singh, Resident of Village- Kharuni,
Police Station- Bihia, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-04-2019 This is an application for grant of anticipatory bail in connection with Bihia P.S. Case No. 206 of 2018, disclosing offences under Sections 147, 148, 149, 341, 302, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other accused persons is that they have variously armed while the informant was constructing his wall and abused the informant and said that as to why without giving Rangdari, the work has been executed. Further allegation is that the petitioner and other accused persons assaulted Ranjit Bahadur with fists and slaps and they caught hold Ranjit Bahadur and on instigation of Sambhu Singh, Pappu Singh and Dhumraj Singh fired upon the deceased due to which the deceased succumbed to the injury.

Submission of learned counsel for the petitioner is that the



petitioner has falsely been implicated in this case and other co-accused person has been granted privilege of anticipatory bail by this Court vide order dated 05.09.2018 passed in Cr. Misc. No.51136 of 2018.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioner on the ground that anticipatory bail application of other co-accused person namely Uday Narayan Ojha having similar allegation has already been rejected by this Court vide order dated 25.01.2019 passed in Cr. Misc. No.74833 of 2018 and allegation against the petitioner is that he caught hold of deceased alongwith others and as such his case is slightly different from co-accused, who has been granted bail by this Court.

Having heard both sides, in view of the fact and circumstances of the case as stated above, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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