

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46080 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- TIKAPATTI District- Purnia

1. PAWAN SINGH @ PAWAN KUMAR, aged about 35 years, Gender-Male, Son of Late Gyanchand Singh
 2. Pahari Singh @ Pahari Mandal, aged about 32 years, Gender-Male, Son of Late Gyanchand Singh
- Both are Resident of Village - Sapoha, P.S.- Tikapatti, District- Purnia

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the State	:	Mr. Bharat Lal, A.P.P.
For the informant	:	Mr. Vijay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-09-2019 Learned counsel for the petitioners is permitted to make necessary correction in the typographical error which has occurred in paragraph '1' of the application in course of the day.

Heard learned Senior Counsel for the petitioners and learned counsel representing the informant-opposite party no. 2 as also learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Tikapatti P.S. Case No. 21/2019 registered under Sections 302, 120(B), 34 of the Indian Penal Code and 27 of the Arms Act, pending before learned Judicial Magistrate - 1st Class, Purnia.

Learned Senior Counsel for the petitioners submits



that although there is specific allegation against the petitioners for firing shot which proved fatal to the husband of the informant but there are other discrepancies in the story made out by the informant and even the place of occurrence seems to be doubtful.

Learned counsel for the informant submits that these petitioners had fired from his pistol on the husband of this informant and informant is an eye witness who has made specific allegation in the F.I.R., therefore, there is no reason to extend the privilege of anticipatory bail to the petitioners.

Considering the facts and circumstances of the case where there is specific allegation against the petitioners of firing from his pistol on the husband of the informant because of which he fell down and died, the petitioner does not deserve privilege of anticipatory bail.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

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