

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45315 of 2019**

Arising Out of PS. Case No.-226 Year-2018 Thana- BARAUNI (Chakiya) District-
Begusarai

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Ram Shankar Singh Son of Naga Singh @ Chunchun Singh Resident of
Village - Simariya, P.S.- Barauni (Chakiya), District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 04-12-2019

Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Barauni (Chakiya)
PS Case No. 226 of 2018 dated 04.06.2018 instituted under
Sections 326/307/34 of the Indian Penal Code and 27 of the
Arms Act.

3. The allegation against the petitioner and another
co-accused is of firing on the informant due to some dispute
relating to non-payment of cigarette taken by the petitioner from
the shop of the informant.

4. Learned counsel for the petitioner submitted that
there is no eye witness to the incident and further that there was



no intention to kill as no firing was repeated. Learned counsel submitted that, at best, it was on the spur of the moment but without any intention to kill and the informant was admitted only for one day and discharged and that too in a private hospital.

5. Learned APP, from the case diary, submitted that there is direct and specific allegation of the petitioner having fired on the informant due to which he was hit in the armpit by the bullet. It was submitted that it is the vital area and further that the petitioner is accused in two other cases of serious nature, including Sections 307 and 302 of the Indian Penal Code, besides the Arms Act.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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