

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47681 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- JAMUI District- Jamui

RAM BALAK SINGH Son of Late Garbhu Singh Resident of Village-
Kakan, P.S. and District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-07-2019 Heard both sides.

The petitioner apprehends his arrest in Jamui P.S. case
No. 125/2019 registered under Section 147, 148, 149, 307, 302
of the IPC and u/s 27 of Arms Act.

The informant, son of the deceased, alleged that on
05.03.2019 while the informant and his father were loading
Parali on their tractor, all the accused persons having armed
with gun came on six motor cycles from two sides. They started
indiscriminate firing on his father. It is further alleged that
Ganga Singh @ Manish Singh made first firing which hit on the
head of the father of informant. Thereafter, Vinod Singh, Uma
Shanker Singh and Kamlesh Singh also fired on different parts
of body of his father and father of the informant died on the
spot.



The learned counsel for the petitioner submits that, of course, the petitioner is named in the FIR at serial No. 14 but no specific allegation of firing is made against the petitioner. The petitioner happens to be co-villager of the informant and that is why he has falsely been implicated in the case but it appears from the FIR itself that all the accused persons having armed with different fire arms came on the spot from two sides on motor cycles and firstly they made indiscriminate firing. Thereafter, Ganga Singh @ Manish Singh, Vinod Singh, Uma Shanker Singh and Kamlesh Singh fired at the father of the informant causing his death on the spot. Since the petitioner had also come with firearm along with other accused persons, having conspired with each other to kill the father of informant, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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