

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20689 of 2020

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

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Ganga Singh @ Manish Singh S/o Late Umesh Singh R/o village- Kakan, P.S.
and District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2020 The matter has been taken up through virtual

Court proceeding.

Since the physical court proceeding is non-

functional due to the present pandemic COVID-19, the

matter is listed with defects.

Learned counsel for the petitioner undertakes to

remove the defects within three weeks of the resumption

of the physical Court proceedings.

In case of non-removal of the defects within

undertaken period, the office shall place the matter

before the bench.

Heard learned counsel for the petitioner and



learned counsel for the State.

The petitioner is languishing in custody since 14.10.2019 in a case registered for the offence punishable under Sections 147, 148, 149, 307, 302 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959.

The prosecution case as per the written report of Manish Kumar, submitted to the S.H.O, Jamui Police Station is to the effect that on 05.03.2019 at 2:00 P.M., when the informant and his father were loading fodder on a tractor, all the F.I.R named accused persons including the petitioner along with some unknown persons came on six motorcycles and started firing upon the father of the informant. It is specifically alleged that petitioner Ganga Singh @ Manish Singh made first firing upon the father of the informant which hit on his back and thereafter co-accused Vinod Singh, Uma Shankar Singh and Kamlesh Singh caused firearm injuries to the father of the informant, who subsequently succumbed to



the injuries. The motive of the occurrence was that the accused persons were demanding extortion of rupees two lakhs to the father of the informant.

Learned counsel for the petitioner submits that in the background of caste rivalry, the accusation has been levelled. The petitioner has been roped in three other cases with the same accusation, but he is on bail in all those cases. Moreover, the accusation of making indiscriminate firing is against fifteen accused persons.

Learned A.P.P. submits that there is specific accusation against the petitioner to have first caused firearm injury to the father of the informant, which hit on his back and he died.

Considering the fact that father of the informant has been brutally killed in the background of non-fulfillment of extortion demand and the petitioner is alleged to have first fired upon the father of the informant which hit on his back, coupled with the fact that with the same accusation, three other cases have



been lodged against the petitioner, this Court is not inclined to grant bail to the petitioner in connection with Jamui P.S. Case No. 125 of 2019.

The petition stands rejected.

(Dinesh Kumar Singh, J)

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