

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15399 of 2020

Arising Out of PS. Case No.-343 Year-2019 Thana- SAHPUR District- Bhojpur

PINTU SINGH Son of Raj Narayan Singh Resident of Village - Jhaua, P.S.-
Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-09-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Sahpur P.S.

Case No.343 of 2019 registered under Sections 302 and 34 of
the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that some dispute arose
between her brother-in-law (Pramod Kr. Yadav) and servant of
Vinod Yadav for motorcycle accident. Vinod Yadav fired
causing firearm injury to Sajjan Yadav. Her family members took
Sajjan Yadav to hospital. It is further alleged that while she along
with the family members was going to see Sajjan Yadav and
when they reached near Hari Narayan Inter College, she saw six
persons on a scorio. It is alleged that all the six persons
surrounded her husband and Vinod Yadav fired which hit on the
back side of the husband of the informant. The husband of the
informant died.



The learned counsel for the petitioner submits that name of the petitioner did not figure in the first occurrence but the name of the petitioner figured in the second occurrence in which Vinod Yadav alleged to have fired causing the death of the husband of the informant. No specific allegation of assault is made against the petitioner. Petitioner happens to be close friend of Vinod Yadav that is why he has falsely been implicated in the case and, therefore, the petitioner deserves anticipatory bail but it appears that besides the allegation that the petitioner also surrounded the husband of the informant and exhorted on such, Vinod Yadav fired causing the death of the husband of the informant, the petitioner has got criminal antecedent and he is accused in as many as six cases registered under Section 364A of the Indian Penal Code and other offences of serious nature including the cases registered under the Excise Act.

Taking into consideration the fact that besides the allegation levelled against the petitioner, petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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