

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24536 of 2020

Arising Out of PS. Case No.-191 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

RAJIV SINGH @ RAJEEV SINGH, Son of Ram Balak Singh, Resident of
Village- Ratanpur, P.S.- Town (Ratanpur O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Mukesh Kr. Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2020 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State through
virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 353/307/120(B) of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution in short is that on 13.03.2020
informant ASI of Town P.S. along with other police personnel
were deputed on duty at Nagar Nigam Office on the occasion of
settlement of tender of latrine and Bus Stand, Begusarai. In the
meantime, at about 12.15 pm some persons started quarrel. The
informant on hulla went there but all of a sudden one Ashok
Yadav, Home Guard Jawan received fire arms injury in his
thigh. The police party wanted to catch the culprit but others



also fired upon which all the persons fled away. On query, informant learnt that FIR named accused persons and 10-12 unknown persons were indulged in firing. The police recovered and seized four empty cartridges and two live cartridges from the P.O. and prepared seizure list.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence. The petitioner story is false and concocted and he has falsely been implicated in this case. The petitioner has not been identified by the informant and other persons. There is no material and positive evidence against the petitioner. There is no specific allegation of Mar-pit against the petitioner. The petitioner is in jail custody since 23.03.2020.

Learned counsel for the informant submits that the petitioner is named in the FIR. Charge sheet has been submitted against the petitioner and others. Witnesses have supported the allegation in paras 9 and 10 of the case diary. The injured persons have also supported the complicity of the petitioner in paras 77 and 80 of the case diary. There is no allegation against the petitioner of tampering of witnesses.

Learned APP for the State opposes the prayer for bail petition.



Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, **be released on bail after framing of the charge** on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Begusarai Town P.S. Case No. 191 of 2020.

(Anjani Kumar Sharan, J)

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