

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79489 of 2019

Arising Out of PS. Case No.-815 Year-2017 Thana- DEHRI TOWN District- Rohtas

SURAJ SINGH @ SURAJ KUMAR SINGH Son of Mahaveer Singh
Resident of Village-Bauliya Road, Jagdev Nagar, Nuranganj, Sasaram Police
Station-Sasaram (Town), District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 19-06-2020 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned APP through video
conferencing.

Supplementary affidavit has been filed on behalf of
petitioner divulging the fact that proceeding in accordance with
Section 82 of the CrPC has only been issued against the
petitioner.

In the background of the land dispute, it has been
alleged at the end of the informant, wife of deceased, that while
her husband was engaged in Diwali Puja with his staff, Shivnath
Singh @ Bega, Tauhid Alam, Sushil Sharma, Shailendra Singh,
all of a sudden, Rajan Singh along with three more persons duly
armed came and then, Rajan Singh shot at the deceased. The



persons present there, anyhow, succeeded in apprehending Rajan Singh along with fire arms while other managed to escape. The deceased was lifted to Hospital where, during course of treatment, succumbed to his injuries.

Petitioner is not named in the Fardbeyan nor the eyewitness has named him (para-27, 28). Para-24 of the case diary is the further statement of the informant. It is further evident from the case diary that call details of the mobile possessed by Rajan Singh has been taken out (para-41-53) and during course thereof, it has been traced out that one Hazari Sah was in contact with Rajan Singh and, Suraj Singh (petitioner) was also in contact with Hazari Sah having SIM No. 9122769661. Subsequently thereof, Hazari Sah was apprehended and his inculpatory extra-judicial confessional statement has been recorded under para-54 whereunder he had admitted his intimacy with the petitioner and, through Suraj Singh he got intimacy to Rajan Singh and at whose direction, he had acted as informer. Para-69 is the location of the petitioner, Suraj Singh as well as Hazari Sah on the alleged date of occurrence. Para-73 is the statement of Sushil Sharma who had shown presence of Hazari Sah at the place of occurrence since before the occurrence. Para-76 and 77 are the call details



relating to Hazari Sah and Suraj Singh.

The cumulative effect does not justify the prayer having been at the end of petitioner. That being so, prayer for anticipatory bail is, hereby, rejected.

(Aditya Kumar Trivedi, J)

perwez

U		T	
---	--	---	--

