

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1302 of 2021

Arising Out of PS. Case No.-209 Year-2019 Thana- BARURAJ District- Muzaffarpur

Raushan Singh, Son of Umesh Singh, Resident of Village- Sonaut Madhopur
Hazari Bishun Chak Pahar, Police Station- Sahebganj, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

10 06-09-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Baruraj
P.S. Case No.209 of 2019 registered for the offence punishable
under Sections 147, 148, 149, 341, 323, 120B, 307 the Indian
Penal Code and Section 27 of the Arms Act.

A minor girl has allegedly called the informant. He
has proceeded with two of his friends to answer her call and go



to her house. While on way, it is alleged that 8-9 persons waiting in bushes have indiscriminately assaulted the informant and his two friends.

The counsel for the petitioner submits that the informant and his friends along with the minor girl in conspiracy have implicated the petitioner in a false case.

The allegation is that the petitioner has fired upon the chest of the informant. The Counsel's submission is that in support of the injury, there is an injury report obtained from a private hospital. He has questioned the *bona fides* of the informant himself while stating that he is accused in three cases since before. It is also stated that the petitioner is in custody since 01.02.2020.

This Court had earlier called for an antecedent report and the injury report. Both have been forwarded by the Senior Superintendent of Police, Muzaffarpur. From the same, it is apparent that the petitioner has five more cases pending against him, out of which at least two are under Section 302 I.P.C. In the bail application, petitioner's father (deponent) has stated that the petitioner has no criminal antecedents. However, by way of supplementary affidavit he has stated that one more case is pending against the petitioner. There is alleged



suppression of criminal antecedents by the petitioner.

Be that as it may, having regard to the antecedents, gravity of the allegation and the injury report corroborating the assertion regarding resorting of firing upon the chest of the informant, this Court, for the present, is not inclined to allow the prayer for bail. The same is rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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