

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25178 of 2021**

Arising Out of PS. Case No.-596 Year-2019 Thana- MADHAURAH District- Saran

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SURAJ KUMAR SINGH @ SURYA Son of Late Ram Naresh Singh  
Resident of Village - Basadila, P.S.- Jalalpur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                                                 |
|----------------------|---|-----------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Krishna Prasad Singh, Sr. Adv.<br>Mr. Bhaskar Shankar, Adv. |
| For the Informant    | : | Mr. Uday Shankar Singh, Adv.                                    |
| For the State        | : | Ms. Nirmala Kumari, APP                                         |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

5      10-01-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code and sections 25(1-B) (a), 26, 27 and 35 of the Arms Act.

As per the prosecution case, on the informant along with other police personnel reaching the place of occurrence, it is stated that on a scorpio vehicle 8-9 persons variously armed reached behind them and surrounded them. Thereafter 7-8 other accused persons on 4-5 motorcycles also reached there. All the accused were armed with rifle, pistol, revolver etc. They started to assault the police personnel and also resorting to



indiscriminate firing. A number of police personnel including Mithilesh Sah, Farooque and Rajnish sustained gunshot injuries. Their arms and ammunitions including AK-47 were snatched. About 30 rounds were fired by the accused. Amongst the accused, Abhishek Singh, Subodh Singh and Rohit Singh were identified. It is stated that constables Mithlesh and Farooque died in the occurrence.

It is submitted by learned senior counsel for the petitioner that the petitioner is not named in the F.I.R. His name transpired in the statement of a co-accused made before police. The petitioner has not been put on T.I. parade inspite of being in custody since 3.1.2021 and chargesheet has been submitted in the case. A number of co-accused have been enlarged on bail vide orders contained in Annexure-2 series to the petition.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the statement of one of the injured constable Rajnish has been recorded in paragraph no.104 of the case diary wherein he has categorically stated that he identified the petitioner and two others. It is further submitted that the application for bail of co-accused Abhishek who was also identified by the said Rajnish



Kumar has been rejected.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, indiscriminate firing leading to two deaths besides a number of police personnel having been injured and the petitioner having been identified by one of the injured police constables, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

**(Partha Sarthy, J)**

Saurabh/-

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