

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37540 of 2021

Arising Out of PS. Case No.-130 Year-2020 Thana- SURYAPURA District- Rohtas

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Anil Singh @ Anil Kumar Singh Son of Hareram Singh @ Ram Dayal Singh
Resident of Village- Agrel Kala Tola, Police Station- Surayapura, District-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.
For the Informant : Mr. Nitya Nand Tiwary, APP.
For the State : Mr. Bal Mukund Prasad Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 29-06-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Anil Kumar Singh, learned counsel for the

petitioner, Mr. Nitya Nand Tiwary, learned counsel for the

informant and learned Additional Public Prosecutor for the

State.

The application for grant of bail to the petitioner,

above named, who has been made accused and put behind the

bar in connection with Suryapura P. S. Case No. 130 of 2020

registered for the offences punishable under Sections 147, 148,

149, 341, 323, 302, 307, 504 and 506 of the Indian Penal Code



and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that on the issue of obstruction proposed to be installed in a lane, when protest was being made by the cousin of the informant, all the accused persons in furtherance of common intention armed with deadly weapon came and started assaulting the informant and his entire family members. It is further alleged that on the dictate of one Hareram Singh @ Ram Dayal Singh, Anil Singh (the petitioner) fired from his double barrel gun upon the father of the informant due to which he sustained fire arm injury and died at the spot. It is also alleged that other co-accused persons namely, Munji Singh, Rabindra Singh and Kunj Bihari Singh also resorted firing causing fire arm injury to other persons.

Learned counsel appearing on behalf of the petitioner submitted that in fact, indiscriminate firing has been made and as such, it is not possible for a person to narrate the incidence in such a specific manner as to who had fired and whose bullet hit the deceased. It is further submitted that during the course of investigation, some witnesses have stated that firing has taken place from both the sides. It is lastly submitted that this petitioner is in custody since 05.09.2020, though the investigation of the crime has already been concluded and



keeping this petitioner behind the bar would not serve the purpose.

On the other hand, learned counsel for the informant vehemently opposes the bail application and submits that there is specific allegation against this petitioner that he fired upon the father of the informant, who died instantaneously.

Learned APP for the State also opposes the bail application and submits that the petitioner is a main assailant.

Having considered the submissions made on behalf of the parties and taking into account the specific nature of the accusation made against the petitioner that he fired from his double barrel gun upon the father of the informant causing his death, this court is not persuaded to enlarge the petitioner on bail.

Accordingly, this application stands dismissed.

It is expected that the trial court will take all necessary steps to ensure the conclusion of the trial at the earliest.

(Harish Kumar, J)

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