

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62409 of 2021**

Arising Out of PS. Case No.-236 Year-2020 Thana- MANIHARI District- Katihar

VIKRAM KUMAR SINGH @ BIKARM SINGH @ BIKRAM KUMAR
SINGH Son of Shambhu Singh Resident of Village - Nawabganj, P.s.-
Manihari, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Adv.
Mr. Bhola Prasad, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 05-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Manihari P.S. Case no. 236 of 2020 instituted for the
offence punishable under Sections 447, 324, 326, 307, 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

It is a case of assaulting and opening fire by the
accused persons including the petitioner to the informant and his
brother, namely, Md. Furkan Husain due to which he succumbed
to the injuries.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely



implicated in this case. Six persons have opened fire and there is no specific version of the prosecution that who has inflicted to whom by fire arms.

Learned APP appearing for the State has opposed the prayer of bail and submitted that there is direct allegation of opening fire by the petitioner and other co-accused persons. It reveals from the post mortem report that cause of death was fire arm injury. From perusal of the case diary, it appears from para 9, 10, 11, 28 and 41 of the case diary that several witnesses have supported the prosecution case.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of killing the brother of the informant against the petitioner by fire arms, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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