

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12227 of 2021

Arising Out of PS. Case No.-164 Year-2019 Thana- DANAPUR District- Patna

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RANJIT JAISWAL @ PANCHAM KUMAR Son of Late Rajendra Prasad
Jaiswal Resident of Village - Grudwara Road, P.S.- Danapur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioner is apprehending his arrest in Danapur
P.S. Case No. 164 of 2019 registered under Sections 302/34 of
the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that the accused
persons including the petitioner made indiscriminate firing due
to which the deceased died.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner has falsely been implicated in the



present case. As per the allegation, the petitioner and co-accused are said to have fired on the deceased. It has further been submitted on behalf of the petitioner that the uncle of the petitioner has been examined in paragraph 7 of the Case Diary (Report-II) where the allegations made in the F.I.R. were not supported. From perusal of paragraph 19 of the Case Diary (Report-II), it is evident that the assailant is one Mukesh @ Mukku Baba.

On behalf of the State, it is submitted that from perusal of the F.I.R., it is evident that petitioner is one of the assailants who is alleged to have fired upon the deceased. As per the post-mortem report, there is two wound of entry which corroborates the allegations made in the F.I.R..

Considering the nature of accusation, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected. However, if the petitioner surrenders in the Court below and prays for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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