

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.532 of 2022

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

Bittu Kumar Singh @ Bittu Singh, S/O Late Ram Naresh Singh Resident Of
Village- Basdila, P.S.- Jalalpur, District- Saran (Chhapra).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh- Sr. Advocate Mr. Bhaskar Shankar- Advocate
For the Opposite Party/s :		Mr. Rajendra Nath Jha- A.P.P. Mr. Udai Shankar Singh- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2022 Heard learned senior counsel for the petitioner,
learned counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 325, 326, 379, 332, 333, 307, 302, 504, 120(B)/ 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The learned senior counsel submits that the petitioner has antecedent of five cases, but inadvertently at Para- 3, it has been recorded that petitioner has antecedent of two cases and the informant alleges that he along with the police force proceeded to Chapra from Marhowrah with their allotted arms, pistol and AK-47 rifle in connection with investigation of



Marhowrah P. S. Case No.512 of 2019. It is next alleged that when they reached near Shiv Vastralaya, L.I.C. Office when all of a sudden, 8-9 accused persons on Scorpio came from behind and overtook the police team. Thereafter, it is alleged that miscreants shot fire on P.S.I. Mithilesh Kumar Sah and Constable Md. Farooque in which they sustained fire injury and the accused also snatched the pistol of Mithilesh Kumar Sah and AK-47 rifle from Constable Md. Farooque. It is next alleged that the occurrence took place in conspiracy of Arun Singh and District Board, Chapra Chairman Smt. Meena Arun.

The learned senior counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. Petitioner is not named in the F.I.R. and his name transpired during the course of investigation.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application and submits that there is allegation of firing on the police force causing injury and thereafter, the accused persons were so emboldened that they even looted AK-47 rifle and pistol from the force. The learned counsel for the informant next submits that the name of the petitioner transpired in the statement of the injured Rajnish Kumar.



Considering the submission made by the learned counsel for the informant and the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, his prayer for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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