

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10924 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- MADHWAPUR District- Madhubani

Ram Babu Singh @ Ramu Singh S/O Satya Narayan Singh Resident of
Village- Bihari, P.S.- Madhwapur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Jha, Advocate
For the Informant	:	Mr. Ravi Prakash, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 18-10-2023 Heard Mr. Shailendra Kumar Jha, learned counsel
for the petitioner, Mr. Ravi Prakash, learned counsel appearing
on behalf of the Informant and Mr. Ashok Kumar Singh, learned
APP for the State.

2. The petitioner is apprehending his arrest
connection with Madhwapur P.S. Case No. 36 of 2022 dated
14.03.2022 registered for the offences punishable under
Sections 341, 307, 120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along
with other co-accused persons were chasing the informant on a
motorcycle and shot the informant in his waist with intention to
kill him which pierced the stomach of the informant and the



accused petitioner was sitting on that motorcycle and also the informant saw that the accused petitioner was carrying pistol in his hand. The informant got badly injured and he ran towards the Hen farm and the accused persons went towards Nepal.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and from perusal of the F.I.R. it appears that there is ample allegation against the petitioner and there is no allegation of firing attributed against the petitioner.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, on the basis of material available on record and case diary, vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation that the petitioner was accompanied with other co-accused person and from perusal of the F.I.R. it appears that he was present at the place of occurrence and apart from the aforesaid, he was regular in touch with the other co-accused persons. They further stated that a number of witnesses have supported the case of the prosecution



in paragraph nos. 7, 8, 9, 10, 24, 25 and 26 of the case diary.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Madhwapur P.S. Case No. 36 of 2022 pending in the Court of Judicial Magistrate, 1st Class, Madhubani.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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