

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28193 of 2023

Arising Out of PS. Case No.-318 Year-2015 Thana- DARBHANGA SADAR District-
Darbhanga

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Prem Ranjan Kumar @ Dabloo Singh @ Priya Ranjan Singh S/O- Dinesh Prasad Singh Village- Basudevpur Bishanpur, Ps- Mahindwara Runni Saidpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Manish Kumar, Advocate Mr. Pramod Kumar Singh, Advocate
For the Informant	:	Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 25-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 01.02.2023 in connection with S.T. No.174 of 2023 arising out of Sadar P.S. Case No. 318 of 2015, F.I.R. dated 12.07.2015 for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, in brief is that on evening of 11.07.2015 while the informant's son Ratnesh Singh (deceased) alongwith his cousin Dilip Kunwar and two others were on the roof of the house of his maternal uncle, both the named accused persons including the petitioner herein reached there and co-accused Sapna Devi, handing over a pistol to



accused/petitioner Priya Ranjan Singh @ Dabloo Singh, exhorted him to kill the informant's son Ratnesh on which accused-petitioner made indiscriminate firing on him causing firearm injuries. The victim was rushed to D.M.C.H. but he died on the way.

4. Learned senior counsel for the petitioner submits that petitioner is innocent and he has falsely been 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.. He further submits that before lodging the present F.I.R. the inquest report was prepared and postmortem was also conducted without filing of the present F.I.R. He further submits that it has come during investigation in para-52 of the case diary that the prosecution has disbelieve the place of occurrence and as per F.I.R. the place of occurrence is different place as mentioned in the F.I.R.

5. Learned counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he had making indiscriminate firing on the informant's son causing firearm injuries which result into death



of the son of the informant. They further submits that the present occurrence is the year 2015 and the petitioner has been evading his arrest since 2015. Despite of fact that anticipatory bail of the petitioner was withdrawn vide orders dated 07.12.2015 and 27.07.2016 passed in Cr. Misc. No.55306 of 2015 and Cr. Misc. No.6504 of 2016 and during investigation the witnesses have supported the case of the prosecution. They further submits that the petitioner carries three criminal antecedents other than the present one.

Considering the aforesaid facts that there is direct and specific allegation against the petitioner that he had making indiscriminate firing on the informant's son and the witnesses have supported the case of the prosecution and the petitioner has evading his arrest since 2015, I am not inclined to enlarge the petitioner on bail in connection with S.T. No.174 of 2023 arising out of Sadar P.S. Case No. 318 of 2015 pending in the court of learned Chief Judicial Magistrate, Darbhanga.

Prayer is refused.

(Rajesh Kumar Verma, J)

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