

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51874 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- RAJEPUR District- East Champaran

1. RAMESHWAR SINGH SON OF LATE TUNNA SINGH VILLAGE
GOSAINPUR POLICE STATION RAJEPUR DISTRICT EAST
CHAMPARAN
2. SURAJ KUMAR @ SURAJ SINGH SON OF RAMESHWAR SINGH
VILLAGE GOSAINPUR POLICE STATION RAJEPUR DISTRICT EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Mohan, Adv.
For the Opposite Party/s : Mr.Rabindra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-11-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. Learned counsel for the petitioners seeks permission to
withdraw this application in respect of petitioner no.2
submitting that during pendency of this application the
petitioner no.2 has surrendered before the learned Court below.

3. Permission is accorded.

4. Accordingly, this application is dismissed as withdrawn
in respect of petitioner no.2.

5. Now, this application survives for petitioner no.1 only.



6. The petitioner apprehends his arrest in Rajepur P.S. Case No. 92 of 2023 registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code.

7. Allegedly, when the informant and his brother reached near the turning of Narayanpur Bridge, petitioner asked the informant's brother to stop the bicycle and on instigation of co-accused Suraj Singh, co-accused Shekhar Singh opened fire from his pistol on the head of the informant's brother due to which he died on spot.

8. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is case and counter case between the parties. No any agreement paper is produced by the informant. It is further submitted that two co-accused persons are already in judicial custody. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposed the prayer for bail and submitted that there is ample evidence in the case diary against the petitioner.



10. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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