

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22625 of 2024

Arising Out of PS. Case No.-813 Year-2023 Thana- SASARAM NAGAR District- Rohtas

1. Brajesh Singh Son Of Mukhan Prasad Resident Of Village - Bhadrashila, P.O. And P.S. - Shiv Sagar, Bhadra Shila, District - Rohtas
2. Prinsu @ Priyansu Kumar Son Of Not Given In Petition Resident Of Ropahatha P.S. Nokha, District - Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Mishra, Adv.
For the informant	:	Mr. Raghunandan Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Sasaram Town P.S. Case No. 813 of 2023 dated 06.09.2023 registered for the offences punishable u/ss 307 read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant along with other friends had gone to purchase vegetables by motorcycles and thereafter, they reached near Awadhoot Nagar then one car Tata Nexon stopped there and the petitioners and



the co-accused person were sitting in the car. The accused persons opened fire from the car due to which the informant's friend Lalu @ Prabhakar Giri sustained injury on his chest and he fell down and the car ran over him. The another friend of the informant, Mantosh @ Deepu also sustained injury on his chest and he was taken to the hospital for treatment. Prior to the alleged occurrence, the informant and his friend, Ajeet Kumar were assaulted by the accused persons for levelling false allegation of theft.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioners have no concern with the alleged offence. There is no any other independent witness who came forward to support the prosecution case. Learned counsel has further submitted that there is no motive of firing to cause death of the informant's friend. The petitioner no. 1 has one criminal antecedent whereas the petitioner no. 2 has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioners and submitted that there is specific



allegation of firing is against the petitioners due to which the injured sustained bullet injuries. Learned counsel has further submitted that several injuries have been caused to the injured persons on his several vital parts of the body.

6. Considering the aforesaid facts and circumstances of the case as well as the gravity of offence. The prayer of anticipatory bail is rejected and the petitioners are directed to surrender before the Court below concerned within six weeks from the date of this order and pray for regular bail, the learned Court below will consider their prayer for regular bail in accordance with law without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

