

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30826 of 2024

Arising Out of PS. Case No.-514 Year-2023 Thana- SHAHKUND District- Bhagalpur

Lalo Singh @ Roushan Kumar Singh S/o Abhay Singh R/o Village Chandrma
P S Sajour District Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shahkund (Sajour) P.S. Case No. 514 of 2023 dated 28.11.2023 registered for the offences punishable under Sections 341, 342, 323, 386, 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 was going to *bahiyar* from his tractor to bring paddy crops and he reached near the Pani Tanki then the co-accused, Abhay Singh told him that if he would use the road then he would have to pay Rs. 50,000/- as ransom. The informant refused to pay the ransom amount and went to *bahiyar*. When the informant reached near the house of the co-accused, Abhay Singh then the co-accused, Abhay



Singh and Nunu Singh got down the informant by pulling him from the tractor and started assaulting him and caught hold of him. In the meantime, the petitioner opened fire on him which hit his head. After hearing the sound of firing, the villagers came there then the accused persons fled away. Thereafter, the injured was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel for the petitioner has submitted that no occurrence has taken place as alleged in the F.I.R. No incriminating article has been recovered from the place of occurrence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner and submitted that the specific allegation against the petitioner who opened fire on the informant with intention to kill him which hit his head due to which he sustained injury. The injury report of injured supports and corroborates the allegation.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the



petitioner is directed to surrender to the Court below within four weeks from the date of this order and the Court below may consider the prayer of bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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