

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54814 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Shankar Kumar Son of Dinesh Ram RESIDENT OF VILLAGE -WARD NO
8, MEDANIPUR DHOWDARH, POLICE STATION- SASARAM (M),
DISTRICT- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP
For the Informant	:	Mr. Babu Nandan Prasa

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-11-2024 Heard Mr. N.K. Agarwal, learned counsel for the

petitioner and Mr. Babu Nandan Prasad representing the informant

as also learned counsel for the State.

2. The petitioner is in custody in connection with
Sasaram (M) P.S. Case No. 148 of 2024 for the offence under
Sections 394 and 34 of the Indian Penal Code and Section 27 of
the Arms Act and later on added section 302 of the I.P.C. lodged
on 25.03.2024 by the informant, Alok Kumar Singh.

3. As per the prosecution story, the informant alleged
that his brother went to shop in the morning and in the evening
after giving information that he is returning home after closing the
shop. However, later the villagers informed that there has been a
firing in which his brother has sustained injury. They rushed to the
clinic of Dr. Chitranjan Singh from where he was brought to



N.M.C.H. Jamuhar. The injured informed the informant about the incident that the accused persons intercepted his motorcycle, demanded cash, mobile and also the bag containing laptop and upon protest, they opened fire causing injury. His brother died in course of treatment. Accordingly, the FIR.

4. It is to be noted that while escaping, the accused have faced the crowd of the cows, they felled from the motorcycle and wanted to escape. One of the accused Vishnu Kumar was caught by the locals, handed over to the police and later, he was treated in the hospital. He spilled the beans in which it has come that three accused persons tried to snatch the motorcycle and other belongings of the deceased and in the process, opened fire which proved fatal.

5. It is the case of the learned Senior counsel that admittedly, the liner was Manoranjan Kumar upon whose information, the accused persons tried to intercept the innocent and in the process, opened fire, so far as this petitioner is concerned, a perusal of the case diary would show that he does not even keep the mobile and as such, there was no question of providing any information to the three accused persons.

6. Learned counsel appearing on behalf of the informant on the other hand has taken this Court to the different paragraphs of the case diary which incorporates the confessional statement of



the Bittu Paswan and Manoranjan Kumar according to them, using the mobile of Manoranjan Kumar, this petitioner gave the information about the movement of the victim on the mobile of the three accused which ultimately led to the incident.

7. It is the case of the informant that Manoranjan Kumar has been denied bail in Cr. Misc. No. 49026 of 2024 vide order dated 21.10.2024.

8. Let the same be kept on record.

9. Considering the submissions put forwarded by the parties as also the fact that the active role of the petitioner has come which led to the alleged robbery/shooting of the victim person. The fact is that a person who after working in his business for hours, was returning home for a peaceful night, was intercepted, alleged robbery took place whereafter he was fired upon which led to his unfortunate death, no relief can be extended to the petitioner.

10. The present bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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

