

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19735 of 2017

Arising Out of PS.Case No. -59 Year- 2015 Thana -PARBATTa District- BHAGALPUR

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Anjay Singh @ Anjay Kumar Singh, son of Late Kaushal Kishore Singh,
resident of village-Mahadatpur, P.S. Naugachia, District-Bhagalpur.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 30-06-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Parbatta P.S.
Case No.59 of 2015 registered under Sections 302 and 120(B)/34
of the Indian Penal Code besides Section 27 of the Arms Act,
pending in the court of the Additional Chief Judicial Magistrate,
Naugachia.

The accusation is that on 02.12.2015 in the evening at
about 06.30 P.M., the informant Satish Singh alias Chhati Singh
was talking with his younger brother Kapildeo Kumar Singh. At
that time, the co-villagers of the informant, namely, Vinod Singh,
Vinay Kumar and Mohan Kumar, the brother-in-law of Kapildo,



were also present there. In the meantime, Sanjay Kumar Singh, his brother Anjay Singh (petitioner), Gautam Singh and Chaturi Singh boarding on a Bolero vehicle came there and got down from the vehicle. Thereafter, Sanjay Singh and his brother Anjay Singh (petitioner) shot fire at Kapildeo, the brother of the informant. Gautam Singh also fired at Kapildeo, the brother of the informant. Kapildeo, the brother of the informant, died on the spot. The cause of occurrence is said to be of Panchayat Election.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in this case due to dispute of Panchayat Election. The witnesses, in paragraphs-28 and 29 of the case diary, have also stated that the petitioner was not present at the place at time of the alleged occurrence. The petitioner is in custody since 24.12.2016.

On the other hand, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant submit that in course of investigation, the informant and other witnesses have supported the prosecution case in respect of making firing at the deceased Kapildeo, the brother of the informant, by this petitioner. Moreover, in the post-mortem examination of the dead body of the deceased Kapildeo, two communicating injuries and two other injuries, caused by firearm, were found on the person of the



deceased.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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