

IN THE COURT OF 1ST, ADDITIONAL DISTRICT & SESSIONS JUDGE,
PATNA CITY, PATNA.
B.P.No.1730/2022.
(Khusharupur P.S.case No.330/2022)

Rampravesh Singh....Petitioner.

Versus

The State of BiharOpposite party.

On behalf of petitioner	:-	Sri Krishana Kishore, Advocate.
On behalf of State	:-	Sri Faijul Hoda, Addl.P.P.

O R D E R

10.01.2023 Petitioner namely Rampravesh Singh, is in custody since 18.09.2022 in connection with Khusharupur P.S.case No. 330/2022, registered for the offence U/S 302/34 I.P.C. and 27 Arms Act pending in the court of Smt. Sipra Kumari,J.M., Class,Patna city.

Heard both sides and perused the record.

The prosecution story in short that on 26.08.2022 at about 7.00 O' Clock,P.M. when informant was in his Dalan, in the mean time sound of fire arms and when informant went to his residential house he saw neighbor Rajendra Prasad @ Baudhu who armed with rifle fired upon our mother who hit head of our mother and our mother died. Sanjeet Kumar and Pankaj Kumar and Bablu Singh armed with country made rifle who hit head of Arun singh and Arun Singh also died. Other accused persons also fired upon the informant and his relatives.

It is submitted on behalf of the learned counsel for the petitioner that he is quite innocent and has committed no offence. Petitioner has been falsely implicated in this case. Alleged sections are not applicable against the petitioner. There is no any specific allegation of any overtact against the petitioner. Petitioner is in custody since 18.09.2022. It is further submitted that the petitioner has got no criminal antecedent and there is no chance of petitioner absconding or tampering with the evidence if, the bail is granted. Hence the learned counsel of the petitioner prayed for grant of bail.

The learned Addl.P.P. has vehemently opposed the prayer for bail of the petitioner. The learned counsel of the informant has also vehemently opposed the prayer for bail of the petitioner.

L.C.R. has already been received.

From perusal of case record as well as case diary it appears that the case has been registered U/S 302/34 I.P.C. and 27 Arms Act. against twenty accused persons on the basis of the written report of informant namely Kamlesh Singh. Petitioner is named accused in this case. Seizure list mentioned in para-6 and 7 of the case diary. Restatement of the informant recorded in para-9 of the case diary and he has fully supported the prosecution case. The statement of witnesses recorded in para-10 Karu Singh, in para-11 Rakesh Kumar, in para-12 Shailendra Singh in case diary and they have fully supported the prosecution case. This is a case of double murder. Two post-mortem report attached with the case diary. After investigation police have found the case true and submitted charge sheet against this petitioner along with other co-accused persons U/S 341,323,307,452,427,302/34 I.P.C. and 27 Arms Act.

Hence considering the facts and circumstances of the case, discussed above, particularly the offence is heinous and serious in nature. There is sufficient material available in the case diary against the petitioner. Thus, I am not inclined to enlarge the petitioner on bail. Accordingly his prayer for bail is hereby rejected.

(Dictated)

1st, Addl. Sessions Judge, Patna city.