

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45893 of 2015

Arising Out of PS.Case No. -265 Year- 2014 Thana -PARWATTA District- KHAGARIA

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Ratti Singh S/o Late Aito Singh Resident of Village Aguani, P.S. Parbatta,
District Khagaria.

... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate.

For the Opposite Party/s : Mrs. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 02-11-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 302 and allied offences of the Indian Penal Code as well as under Section 27 of the Arms Act, this Court, taking into account that neither there is any specific overt act against the petitioner nor he has any criminal antecedent and that there is also a counter version of the same occurrence in which one person who is said to have been killed from the side of the petitioner and that such case was lodged by none else but by the petitioner himself and this Court, primarily keeping in view the submission of the learned counsel for the petitioner that the petitioner is aged about 67 years and again having no criminal antecedent, would be inclined to grant privilege of anticipatory bail only by taking into account his age and the fact that the

allegation of indiscriminate firing leading to death of two persons is against Lalan Singh, Baban Singh and Pawan Singh.

That being so, if the petitioner, namely, Ratti Singh, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 265 of 2014; subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court



below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Sujit/-

(Mihir Kumar Jha, J)

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