

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57724 of 2015

Arising Out of PS.Case No. -538 Year- 2015 Thana -KHAGARIA District- KHAGARIA

1. Ram Samajh Roy S/o Bahor Rai, resident of village- Naya Tola
Rahimpur, P.S.- Mufassil, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Atul Chandra (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Khagaria (Muffasil) P.S.Case No. 538/2015, G.R.No. 2051/2015
registered for offences punishable under Sections 147, 148, 149,
323, 447, 307, 379 , 120 (B) of the I.P.C. as well as Section 27 of
the Arms Act.

The prosecution case as per the written report of one
Sunil Choudhary, son of Ram Parikshan Choudhary, Co-villager
of the petitioner before Officer-in-Charge of Khagaria Muffasil
P.S. whereby and whereunder it is alleged that on the date of
occurrence i.e. 14.08.2015 at 3.00 P.M. all the named accused
persons including the petitioner laced with fire arms raided at the

Basa of the informant made firing and assaulted the servant of the informant by lathi and iron rod and took away buffalos, bicycle, blanket and bucket and fled away.

It has been submitted by the learned counsel for the petitioner that there is an omnibus allegation against the petitioner alongwith 26 other persons, who have been named in the F.I.R. and the petitioner is aged about 60 years.

It has further been submitted by the learned counsel for the petitioner that there is land dispute between the petitioner and the informant for which several cases have been lodged by both the parties.

Be that as it may, let the above named petitioner, in the event of his arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S.Case No. 538 of 2015, G.R. No. 2051 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

However, since the petitioner is an accused in some other cases i.e. Khagaria P.S. Case No. 612 of 2012 under Section 307 and other Sections in Khagaria Muffasil P. S. Case No.

203/2015, G.R. No. 856/2015 under Sections 147, 148, 149, 385, 447, 427, 435, 307/504 of the I.P.C. as well as 27 of the Arms Act, if in future, the petitioner is found to have indulged in case of similar nature, as the present one, the learned Court below will be liberty to cancel the bail bonds of the petitioner without being prejudiced with this order.

(Nilu Agrawal, J)

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