

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23999 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -SIKRAUL District- BUXAR

=====

1. Rajendra Bind Son of Lalan Bind, Resident of Village- Paharpur, Police Station- Sikraul, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Veena Kri.Jaiswal(App)

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 31-05-2016

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 448, 341, 323, 324, 307 and 34 of the Indian Penal Code as also under section 27 of the Arms Act.

Though, the petitioner, is named in the first information report vide Annexure-1 as an accused and there is allegation of firing against him, but taking into consideration the fact that there appears to be case and counter case from both sides vide Annexures 1 and 2 respectively with respect to the same occurrence and further taking into consideration the fact that the occurrence appears to have taken place on account of a bona fide land dispute between the parties and also taking into consideration the fact that the petitioner also sustained injuries on his person at the hands of the members of the prosecution party, which is evident from annexure-3, the injury report of the petitioner, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of bail.

Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Sikroul P.S. Case No. 1 of 2016 subject to the conditions that :

(A) one of the bailors must be a government servant or close family members of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Amin/-

U			
---	--	--	--