

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7995 of 2016

Arising Out of PS.Case No. -75 Year- 2012 Thana -RAMGARH District- BHABHUA (KAIMUR)

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Jay Chand Singh, son of Vijay Narayan Singh, resident of village- Upari,
P.S.- Ramgarh, District- Kaimur at Bhabhua.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Ramgarh P.S. Case No.75 of 2012 registered for offences
punishable under Sections 448, 504, 506, 34 of the Indian Penal
Code and Section 27 of the Arms Act.

Prosecution case is that on alleged date of occurrence
the informant was working in the paddy field along with his
family members. In the meantime, the accused persons reached
there with Lathi and Riffle and abused the informant and opened
fire. The informant and his family members raised alarm, then
some villagers reached there, then the accused fled away.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has committed no offence and has been falsely implicated in the aforesaid case. It has further been submitted that the petitioner has a clean antecedent as is evident from paragraph 3 of this petition. Furthermore, the counsel for the petitioner contends that the allegations against the petitioner is general and omnibus and even the final form has been submitted wherein the allegation against the petitioner has been found to be not true but cognizance has been taken by the Judicial Magistrate. It has further been submitted by the learned counsel for the petitioner that the observation by the learned court below that the petitioner has been arrested by the police as per record of ABP No.857 of 2012 is not correct, as the petitioner has never been arrested and had he been arrested, there would have been no occasion for him to pray for anticipatory bail.

The petitioner, however, submits that some of the co-accused, i.e., Satya Nand Singh and others have been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No.10867 of 2013 dated 17.4.2013 I do not propose to take a different view on similar allegations.

I have heard learned A.P.P. for the State, who submits that the petitioner is named in the First Information Report.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Ramgarh P.S. Case No.75 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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