

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37774 of 2016

Arising Out of PS.Case No. -688 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Madhaw Singh, Son Kalika Singh, resident of Village- Dhanpurva, P.S.
Sasaram (Muffasil), District - Rohtas .

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Narayansingh

For the Opposite Party : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner, the learned

counsel representing the State as also learned counsel for the

informant.

The petitioner seeks bail in connection with Sasaram
(Town) P.S Case No. 688 of 2016 registered for the offences
punishable under Sections 147, 149, 341, 384, 427, 504, 506 of the
Indian Penal Code and section 27 of the Arms Act.

Allegedly, the petitioner and other F.I.R. named
accused persons along with 10-12 unknown came, the petitioner
was armed with katta and Arju Singh, Rajesh Singh, Prashant and
Raj Hansh opened firing in the air and after abusing, demolished
the pillar and further they demanded ransom of Rs. 15,00000/-
(fifteen lacs) otherwise to stop the work and further they have

caused to kill the informant and his family members.

Submission is of false implication and that there is general and omnibus allegation against the petitioner and others, no injury has been caused to anyone admittedly firing was done in the air, no one has been received any injury, no amount was paid the offence punishable under Section 384 of the Indian Penal Code is not made out. It is submitted that the informant is a journalist, he taking advantage of his influence inspite of order of Civil Court he is disturbing the possession of the petitioner and other, resulting, the petitioner is suffering in custody since 15.07.2016 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner has got criminal antecedent and against him there is specific allegation, he is involved in six more cases. He has also been convicted but he is on bail in Criminal Appeal No. 281 of 2006 (D.B.). The petitioner is veteran criminal and, as such, he does not deserve bail.

In the facts and circumstances stated above, considering the land dispute between the parties and further considering that chargesheet has already been submitted and there

is no chance of tampering with the prosecution evidence and, as such, he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Town) P.S. Case No. 688 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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