

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19343 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -PIRPAINTI District- BHAGALPUR

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Basuki Thakur Son of Sudama Thakur resident of Village - Mohana
Chandpur, P.S. - Semapur, District - Katihar..... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Pirpainty P.S. Case
No. 147 of 2016 registered for the offences punishable under Sections
147, 148, 385, 427, 504, 307 of the Indian Penal Code and Section 27
of the Arms Act.

Allegedly, the petitioner and other co-accused being armed
came at the land of the informant where maize crops were grown,
started abusing him and demanded Rs. 50,000/- per year as ransom
otherwise not to allow to cultivate the land and the petitioner and two
co-accused opened fire. The informant fled away and in the meantime
maize crops were got damaged by about 200 animals. The accused
persons also caused threats to the servant of the informant.

Submission is of false implication and that one of the co-
accused Santosh Kumar has been allowed bail under Section 167 (2) of
the Cr.P.C., the petitioner is suffering in custody since 06.02.2017, no



injury has been caused to anyone, due to land dispute the petitioner has been implicated, the petitioner has been made accused in other cases also due to land dispute, he is on bail in other cases and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner has opened fire but it is true that no one was injured.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XI, Bhagalpur in connection with Pirpainty P.S. Case No. 147 of 2016, subject to the conditions that one of the bailors must be a 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.

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(Jitendra Mohan Sharma, J)

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