

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23621 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -NIMCHAKBATHANI District- GAYA

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Vidyasagar Bharti, son of Late Navratna Sao, resident of village Karu Bigha, P.S. Nimchak Bathani, District Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr.Advocate with
Mr. Mithilesh Kr.Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-05-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Nimchak Bathani P.S.Case No. 34 of 2017 registered for the offences punishable under Sections 307, 354A, 379, 380, 427, 323, 325, 147, 148, 149 of the Indian Penal Code and 27 of the Arms Act.

Allegation as per FIR is that informant has got possession over the land with the help of Administration and thereafter in the evening petitioner and other accused persons came over the land and started assaulting the informant and others.

It has been submitted on behalf of the petitioner that no specific allegation has been attributed against the petitioner and, as a matter of fact, petitioner has nothing to do with the land and there is land dispute between the informant and one co-villager Kapil Mahto and further submission is that petitioner is in custody for about two months.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that petitioner and other co-accused have taken the law in their hands and even in spite of possession is being given they came and



assaulted the informant and others.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-X, Gaya, in connection with Nimchak Bathani P.S.Case No. 34 of 2017, subject to the conditions that :-

- (i) Petitioner will not disturb the possession of the informant.
- (ii) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (iii) The petitioner will not induce any witness or tamper with the evidence.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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