

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42020 of 2017

Arising Out of PS.Case No. -202 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Prabhu Pandey @ Prabhu Das son of Raghubir Pandey, resident of village-
Amwa Majhar Chhaurahi, P.S. Bettiah Muffasil, District-West Champaran,
at present resident of village-Pakariya, P.S. Nautan (Jagdishpur), District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pramod Kumar Tiwari son of late Kameshwar Nath Tiwari, resident of
village-Ahwar Sheikh, P.S. Majhulia, District-West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
30.06.2017 in connection with Nautan (Jagdishpur) P.S. Case
No. 202 of 2016 for offences punishable under Sections 323,
307, 384, 386, 120(B), 379, 420, 467, 468, 471, 504 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the complainant
vide Complaint Case No. 1212 of 2016 which was later



converted into P.S. Case under Section 156 (3) of the Cr.P.C., is that the informant owned piece and parcel of land which the petitioner claimed to be his and demanded Rs. 5,00,000/- which was not paid by the informant. Thereafter the petitioner along with 4-5 persons while he was in his field open fire but the informant managed to escape.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, there is a land dispute between the parties and the matter relates to civil dispute. He submits that no overt act has been committed by the petitioner, there is no injury as such Section 307 of the I.P.C. is not made out.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Bettiah, District-West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 202 of 2016, subject to the



condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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