

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51918 of 2017

Arising Out of PS.Case No. -202 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Bilas Singh @ Ram Bilas Singh @ Ram Bilash Kharwar S/o Late Rogi Singh @ Rogi Kharwar , R/o Village- Ghumardew, P.S.- Chainpur, District-Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and
learned counsel for the State.

A supplementary affidavit has been filed on
behalf of the petitioner.

The petitioner is in custody since 16.08.2017
in connection with Chainpur P.S. Case No. 202 of 2017 for
the offence registered under Sections 341, 323, 307 and
504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits
that there is land dispute between the informant and the
petitioner and there is case and counter case between the
parties. It is further submitted that though there is an
allegation that the petitioner had fired on the informant, the
injury report belies the prosecution story.

Learned counsel appearing on behalf of the



informant has opposed the bail application stating that the petitioner has criminal antecedent and he is involved in four cases. He further submits that the petitioner is a habitual offender and has been troubling the family since long. Therefore, he is not entitled to the privilege of regular bail.

In response to the said submission, learned counsel for the petitioner submits that all such cases as registered are being initiated at the hands of the informant and his family members and it is, all on account of land dispute. The entire story is false and improbable and not worthy of credence.

Having heard learned counsel for the petitioner, State and learned counsel for the informant, it appears from the supplementary affidavit filed by the petitioner that the injuries sustained by Rajendra Yadav, on whom the petitioner is said to have fired, was caused by hard blunt substance and not otherwise.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., -II, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 202 of 2017 corresponding to G.R. No. 1899 of 2017, subject to the following conditions :-

(1) One of the bailors will be his own relative,



namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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