

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54601 of 2017

Arising Out of PS.Case No. -407 Year- 2017 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Mananjay Singh, S/o Late Uma Shankar Singh, Village Goriya Patti, P.S.
Bagaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Bhushan Sinha, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahani, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bagaha P.S. Case No. 407 of 2017** instituted for the offence under Sections 147, 148, 149, 323, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted that both parties are agnates (*Gotiya*) and civil litigation is pending between them. First Appeal No. 333 of 1983 was filed by Rama Shankar Singh and Another in which preliminary decree has been drawn. The family members of informant has challenged the order dated 12.05.2015 before the Hon'ble Supreme Court vide SLP (Civil) No. 30998 of 2015 which was dismissed vide order dated 27.11.2015. Thereafter, accused Sunil Singh @ Dharam Shankar Singh filed Final Decree Case No. 1 of 2016 which is pending before learned Sub Judge-II, Bagaha.



In the instant case there is allegation against the petitioner that he fired from the pistol but the fire missed. As such, from the *Fardbeyan* itself, it appears that no injury has been caused to anyone.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Bagaha P.S. Case No. 407 of 2017**, he shall be released on anticipatory 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, Bagaha**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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