

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44277 of 2017

Arising Out of PS.Case No. -905 Year- 2016 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

=====

1. Suresh Singh, S/o Ramadhar Singh, Resident of Village- Maharaniya,
Police Station- Sasaram (Darigaon), District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.06.2017 in connection with Sasaram Town (Darigaon) P.S.
Case No. 905 of 2016 for offences punishable under Sections 147,
148, 149, 341, 323, 324, 307, 379, 504, 354 (b) of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while she had gone for natural call, the petitioner along with
seven others came, variously armed with rifle and pistols and
started indiscriminate firing. Allegation upon the petitioner is that
the informant hid herself in the house of her aunt Tarun Lata Devi,
the petitioner fired on Nikhil Kumar, son of her aunt, which hit



him and he fell down.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that both parties were inimical to each other on account of land dispute as both were claiming the land near Anganwari Kendra and a counter case has been lodged on the same day regarding the same occurrence bearing Darigaon P.S. Case No. 906 of 2016 in which both parties received injuries by fire arms. He submits that the injury report of the said Nikhil Kumar does not speak about any grievous injury and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that because of personal enmity, the informant side has also made him accused in another case. Apart from that he bears no criminal history.

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

Considering the facts and circumstances and the materials on record, let the 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 Chief Judicial Magistrate, Rohtas at Sasaram, in connection with



Sasaram Town (Darigaon) P.S. Case No. 905 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

