

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45619 of 2017**

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

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Dayashankar Singh

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.  
Mr. Mithilesh Kumar Singh, Adv.

For the State : Mr. Smt. Asha Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2 19-09-2017

Heard Mr. Krishna Prasad Singh, learned Senior Counsel

assisted by Mr. Mithilesh Kumar Singh, learned counsel for the  
petitioner.

The petitioner seeks regular bail in connection with Bagaha  
P.S. Case No. 407 of 2017 registered for the offences under Section-  
307 & other minor Sections of the Indian Penal Code and 27 of the  
Arms Act.

The accusation against the petitioner and other accused  
persons are regarding assaulting the prosecution party with Lathi, Farsa,  
pistol, revolver etc., as a result of which, they sustained injuries.

Learned Senior Counsel, appearing for the petitioner  
submits that there is no gun shot injury, the allegations are general and  
omnibus in nature and the incident has arisen on account of village  
rivalry. It has further been submitted that as far as the antecedent of the  
petitioner is concerned, there are two other cases pending against him,



out of which, in one case, the police has submitted final form whereas; the other case relates to minor offences. It is further submitted that the petitioner is languishing in jail custody since 21-08-2017.

Having regard to the facts and circumstances of the present case, I deem it fit and appropriate to direct the release of the petitioner immediately upon completion of three months from the date of custody i.e. 21-08-2017 to the satisfaction of learned A.C.J.M.-I, Bagaha, West Champaran in Bagaha P.S. Case No. 407 of 2017 on such other terms as may be deemed fit and proper by the learned trial court.

With the aforesaid observation, the instant petition is disposed of.

**(Mohit Kumar Shah, J)**

A.K.V./-

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