

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20754 of 2017

Arising Out of PS.Case No. -108 Year- 2016 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

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1. Banhu Ram Son of Late Gudar Ram, Resident of Village- Bahuarwa,
Police Station- Purushottampur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-05-2017 The petitioner seeks regular bail in connection with Mainatand P.S. Case No. 108 of 2016, registered for offences punishable under Sections 188, 382/34 of Indian Penal Code and Section 27 of the Arms Act. Allegation against the petitioner is that in spite of the direction of this Court passed in Cr.W.J.C 426 of 2015, petitioner continued to harvest the paddy crops from the agricultural field of the informant on the point of Gun and other weapons.

It has been submitted on behalf of the petitioner that no such direction as alleged by the informant, was ever passed by this Hon'ble Court. Further there is no specific allegation against the petitioner in the entire case diary and nothing has been recovered from him. Petitioner has no criminal antecedent and has been in



judicial custody since 10.12.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, period of custody and also that petitioner has no criminal antecedent, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned SDJM, Bettiah, West Champaran, in connection with Mainatand P.S. Case No. 108 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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