

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38842 of 2018

Arising Out of PS.Case No. -554 Year- 2017 Thana -MANER District- PATNA

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Shyama Kant Rai @ Shyama Kant Singh, Son of Late Raj Nandan Singh,
resident of Village- Khaspur, P.S. Maner, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Dharendra Kumar, Advocate
For the State : Mr. Anil Kumar Singh 1, APP
For the Informant : Mr. Rajesh Kumar Sinha, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State. Learned
counsel for the informant is also present.

The petitioner is in custody since 03.06.2018 in
connection with Maner P.S. Case No.554 of 2017 registered for
the offence under Sections 147, 148, 149, 341, 323, 379, 385,
504, 506 and 427 of the Indian Penal Code and Section 27 of
the Arms Act.

Learned counsel for the petitioner submits that an
altogether false and mischievous allegation has been levelled
against the petitioner that he had assembled along with some
others and had broken down the boundary wall of the informant
which he had constructed over the land purchased by him.



It is submitted by the learned counsel for the informant that the present petitioner is one of the members of the gang who had come to take ransom for the land which has been purchased in Danapur area and therefore, the petitioner may not be extended the privilege of bail.

Learned counsel for the petitioner, however, controverts the aforesaid submission and submits that in connection with the present case, no overt act has been attributed to the present petitioner and so far as his antecedent is concerned, he has been granted bail in other cases and the antecedent report has come before this Court. He has filed a supplementary affidavit giving the details of one case, which had been inadvertently left out in paragraph 3 of the bail application.

Having considered the entire facts and circumstances and there being no further material in the case diary to support the allegations as against the petitioner and his role being confined to only being the member of the crowd, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sandip Kumar, learned Judicial Magistrate, 1st Class, Danapur, Patna, in



connection with Maner P.S. Case No.554 of 2017, subject to the following conditions:

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