

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49162 of 2017

Arising Out of PS.Case No. -698 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

Somaru Singh @ Samaru Singh, Son of Sita Ram Singh, Resident of
Village- Daulatpur, Simari (Banshi Tola), P.S. Bihata, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Reeta Devi, W/o Chandrika Prasad, R/o Village- Daulatpur Simari
(Banshi Tola) P.S.- Bihata, District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Advocate.
For the opposite party No.2: Mr Suresh Singh, Advocate.
For the State : Smt. Pushpa Sinha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 30-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint**
Case No. 698 of 2015 instituted for the offence under Sections
323, 379 and 384 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is counter case filed by son of this petitioner against the
complainant and her husband vide Bihata P.S. Case No. 388 of
2015. This petitioner is *Bhainsur* of the complainant. There is land
dispute between the parties. The petitioner is government servant.

In the complaint petition allegation against this
petitioner is that he ordered the accused persons to beat the



complainant and also fired from the revolver, but fire did not hit the complainant.

As such, mere general and omnibus allegation has been levelled against this petitioner. It is admitted position that there is land dispute between the parties and there is case and counter case between them.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Learned counsel for the complainant has appeared and opposed the prayer for anticipatory bail.

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 **Complaint Case No. 698 (C) of 2015**, 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, Danapur, Patna**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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)

S.Ali/-

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

