

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61000 of 2018

Arising Out of PS.Case No. -79 Year- 2018 Thana -TARAIYA District- SARAN

=====

Surendra Singh, Son of Late Ganesh Singh, Resident of Village- Rampur
Keshow, P.S.- Taraiya, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 31-10-2018 Heard the parties.

Petitioner seeks bail in Taraiya P.S. Case No. 79/18
registered for the offence under Sections 341, 323, 448, 379, 427,
363 and 364 of the Indian Penal Code.

Allegation as per the F.I.R. is that while on 23.03.2018
at 2.00 P.M. construction work of the house of the informant was
going on three F.I.R.named accused along with three unknown
persons having lathi and danda in their hand came there and
abused them and when the son of the informant made protest the
accused persons assaulted him with lathi and they also kidnapped
him. They took away Rs.50,000/- from counter of the shop as well
as two mobiles from the shop of the informant. Thereafter the
accused persons also damaged the shop and broken the wall.



Submission on behalf of the learned counsel for the petitioner is that there is land dispute between the parties. There is general and omnibus allegation of assault on the informant's son against the accused persons including the petitioner. There is case and counter case. The petitioner has also filed a Complaint Case No.842 of 2018. There is no specific allegation against the petitioner. He is in custody since 31.07.2018. The statement recorded under Section 164 Cr.P.C. of the victim shows that there is no specific allegation against the petitioner. Victim had come back suo motu as such allegation of kidnapping is false.

Heard the learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.C.J.M.-IX, Saran at Chapra, in Taraiya P.S. Case No.79 of 2018.

(S. Kumar, J)

AnilKrSinha/-

U			
---	--	--	--

