

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19128 of 2019

Arising Out of PS. Case No.-468 Year-2014 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SATYAM TRIAR @ SATYAM TRIYAR Son of Chiranjivi Triyar @ Chiranjiv
Triyar Resident of Village - Mohanpur, P.S.- Samastipur Muffasil, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Samastipur
Muffasil P.S. Case No. 468 of 2014 for offences punishable
under Section 307 and other allied Sections of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that one Ranjan Verma called the brother of the informant
Gaurav Mohan on the pretext of showing some land. Thereafter
the petitioner along with two named accused and 4-5 unknown
persons started abusing his brother and all of them fired as a
result his brother got serious injury. It is further alleged that
there was a land dispute between the parties.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that although in the injury report the injury no. 1 on the jaw has been alleged to be grievous but the allegations are general and omnibus against 7-8 persons and there is no specific allegation upon the petitioner of having fired on the brother of the informant. He further submits that one of the co-accused on similar allegations has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 3105 of 2017 vide order dated 16.03.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and three more cases are pending against him although the petitioner submits that in all the three cases he has been allowed the privilege of bail.

Considering the nature of allegations and the materials on record as well as the fact that the allegations are general and omnibus, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Samastipur, in connection with Samastipur (Muffasil) P.S. Case No. 468 of



2014, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
2. Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
3. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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