

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78393 of 2018

Arising Out of PS. Case No.-371 Year-2018 Thana- ALOULI District- Khagaria

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Rupkant Rai @ Roopkant Rai S/o Late Pyarelal Rai, resident of Village-
Bahadurpur, P.S. Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Alauli P.S. Case No. 371 of 2018 registered for the offence punishable under Sections 341, 323, 307, 504, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that F.I.R. named accused including the petitioner were fencing over his land and when his father tried to stop them then F.I.R. named accused Lalo Kumar took out gun from his house and made blind firing and assaulted his father, his brother, Anuj Kumar by iron rod, lathi and but of gun and the petitioner assaulted his brother by *Khanti*.

It has been submitted on behalf of the petitioner that there is land dispute between the parties and there is case and counter case with respect to same incident and from the injury



report which has been annexed as Annexure 3, the injury has been found to be simple in nature. Petitioner is in custody since 18.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Alauli P.S. Case No. 371 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the 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.

(S. Kumar, J)

Sanjay/-

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