

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72615 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- PIRO District- Bhojpur

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GUDDU RAI @ RAMASHANKAR RAI, Son of Chandrika Rai, Resident of
Village - Nonar, P.S.- Piro, Distt.- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner, informant
and learned APP for the State.

The petitioner is languishing in custody since 21.08.2019 in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the informant and his wife went to his nephew's place at Khorahi, but while returning, six accused persons, on two motorcycles came and asked the informant as to why he is constructing his house on the land in question, whereupon, the petitioner, Guddu Rai and co-accused, Bittu Rai fired upon the informant and his wife while other accused persons assaulted them with lathi. The



accused persons also snatched a gold chain and a ear-ring from the wife of the informant.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled against the petitioner. Admittedly the injuries have been found superficial simple in nature and there is no medical report on record to suggest the injury has been caused by fire arm. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant submits that there is specific accusation against the petitioner in the FIR but he admits that in the background of land dispute, the alleged occurrence took place.

Considering the genesis of the occurrence being land dispute, the period under custody, investigation already being concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released 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 Chief Judicial Magistrate, Bhojpur at



Ara, in connection with Piro P.S. Case 166 of 2019.

(Dinesh Kumar Singh, J)

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