

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8347 of 2020

Arising Out of PS. Case No.-733 Year-2019 Thana- DEHRI TOWN District- Rohtas

RAM PRATAP SINGH Son of Ram Pujan Singh Resident of New Area Dehri
(Indrapuri O.P.), Distt - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv. Mr. Anil Kumar Singh
Advt.

For the Opposite Party/s : Mrs. Meena Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-02-2020 Heard learned Sr. counsel for the petitioner and the
learned APP for State.

Petitioner apprehends arrest in connection with Dehri
(Indrapuri O. P.) P. S. Case no. 733 of 2019, instituted for the
offence under Section(s) 147,148,149,302, 307 and 504 of the
of the Indian Penal Code and Section 27 of the Arms Act.

On objection being made by the informant regarding the
movement being made through his alleged lands, the petitioner
and co-accused, namely, Heera Singh who were moving on a
heavy vehicle are alleged to have assaulted the informant and
his party who were enjoying a picnic on the plot in-question.

Learned senior counsel representing the petitioner
submits that specific allegation of causing death by gun shot



injury is against co-accused Heera Singh. Against the petitioner there is an allegation of firing upon Deepak Kumar which fact is not corroborated by the investigation as the relevant portions of the case diary have been considered in the order of rejection by the learned Court below on 23.01.2020 and the same is on record. The learned senior counsel further points out that there is a counter version of the case also lodged by other side alleging that the informant of the instant case are wrongly claiming the lands to be theirs as the same is actually government lands and, as a result of the dispute, in respect of the said land, the free fight has taken place in which both sides have sustained injuries. The petitioner has annexed the documents in support of his injury arising out of the free fight (Annexure-2). It is further submitted that the petitioner has no criminal antecedents.

The learned APP for the State opposed the prayer for bail by submitting that allegation of firing is also attributed to the petitioner.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, 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 the Sub Divisional Judicial Magistrate Dehri, Rohtas, in connection with Dehri (Indrapuri O. P.) P. S. Case no. 733 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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