

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16344 of 2020

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

Raj Kumar Singh Son of Late Kapildeo Singh Resident of Village - Katar,
P.S.- Indrapuri (Dehri), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Amrendra Narayan Rai, Advocate
For the Opposite Party/s	:	Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-06-2020 The matter has been taken up through virtual Court proceeding.

Heard Mr. Krishna Prasad Singh, learned Senior counsel for the petitioner and Mr. J.N. Thakur, learned APP for the State.

The present application has been preferred on behalf of the petitioner for grant of bail in connection with a case registered for the offences punishable under Sections 147, 148, 149, 302, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the fardbeyan of Ajit Kumar recorded by S.I., Mahendra Kumar, is to the effect that on 23.10.2019 at 3.30 P.M. the informant along with his friends was at picnic on the land for which agreement was executed, at



that time, Hira Singh and Ram Pratap Singh were plying Poklane which was protested by the informant. In the meantime, the accused persons came and on the order of the petitioner, Raj Kumar Singh, the accused persons started firing. It is alleged that co-accused Hira Singh fired on the hand of the informant, co-accused Manish Kumar fired with rifle which caused injury to Dhananjay Yadav, who subsequently succumbed to the injury. Co-accused Ram Pratap Singh fired with rifle on Deepak Kumar and co-accused Pawan also caused firearm injury to Deepak Kumar.

It is submitted by learned Senior counsel for the petitioner that in the background of land dispute, the accusation has been levelled. The petitioner is the person who is alleged to have given order to fire whereas the accusation of causing firearm injury to Dhananjay Yadav is against co-accused Manish Kumar. The petitioner is languishing in custody since 24.10.2019 and investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is order giver.

Considering the fact that the accusation of firing



has not been levelled against the petitioner, investigation has already been concluded and statement being made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present, provisionally, for a period of three months on furnishing one surety to the satisfaction of the learned Sub-divisional Judicial Magistrate, Dehri (Rohtas) in connection with Dehri Town (Indrapuri) P.S. Case No. 733 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Dehri (Rohtas) in connection with Dehri Town (Indrapuri) P.S. Case No. 733 of 2019.



The learned Court below is at liberty to further extend the period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

