

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1182 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- AGRER District- Rohtas

AYODHYA SINGH SON OF LATE RAJDEV SINGH Resident Of Village -
Mokar, P. S. - Agrer, District - Rohtas at present resident of Lane No. 1,
Gaurakshini Gajrah, ward No. 4 , District - Rohtas, Mob. no. 9472252396.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar,
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2021 Heard learned counsel for the petitioner and the
State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Agrer P.S.
Case No. 39 of 2020 registered for the offence under Sections
147, 148, 149, 307, 323, 341, 354, 504, 506 of the Indian Penal
Code and 27 of the Arms Act.

Allegedly, while the informant along with her son was
supervising sowing of crop in the field, approximately 30
accused person having armed with deadly weapons assembled
near her cultivating crop and started abusing the informant. On



protest, one of the accused persons grabbed the hair of the informant. It is further alleged that the accused persons asked to stop sowing the seed and in consequence thereof, firing was also made.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. As per allegation, co-accused Brajesh Pandey is alleged to have fired upon the son of the informant. Later on, the petitioner is also alleged to have fired upon the informant's son.

From perusal of the injury report, it appears that there is only one injury caused to the victim. Hence the injury report does not corroborate the allegation made in the FIR. The petitioner is a 74 years old person and he is a heart patient.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case coupled with the fact that the petitioner is a 74 years old retired person and suffering from heart disease, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today,



be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Agrer P.S. Case No. 39 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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