

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40607 of 2020

Arising Out of PS. Case No.-126 Year-2020 Thana- KARAKAT District- Rohtas

CHHOTAN SINGH, Son of Haridawar Singh, Resident of Village- Motha,
P.S.- Karakat, Distt- Rohtas ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Adv.
For the Opposite Party : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-07-2021 As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 27.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Karakat P.S. Case No. 126 of 2020 (G.R. No. 951 of 2020), registered under Sections 147, 149, 341, 323, 337, 354 and 504 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that on 12.07.2020 at about 08.00 p.m. ten persons named in the first information report, including the petitioner (Chhotan Singh), variously armed with weapon, came at the door of the informant, Vishwanath Singh, and started to construct the drain. The informant, Vishwanath Singh,



made protest, then, all started to drag his grand-daughter, Shivani Kumar, aged about 15 years, on which informant also made protest, thereafter, all pelted bricks causing injury to the informant on his face and also to his grand-daughter, Shivani Kumar, at hand. At that time, Chhotan Singh (petitioner) took the gun and four times opened fire giving threatening.

Submission is that due to land dispute occurrence of marpeet took place in which petitioner's side also sustained injury, regarding which Karakat P.S. Case No. 125 of 2020 is also instituted for the offence 341, 323, 337 and 34 of the Indian Penal Code on the basis of the fardbeyan of the petitioner against the informant of the present case and three others. Further, submission is that it would appear from the first information report that firing was made by this petitioner in the air and not on any one. Further, submission is that while the petitioner is accused in one case, but, in that case he is on bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Karakat P.S. Case No. 126 of 2020 (G.R. No. 951 of 2020) shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of the Additional Chief Judicial Magistrate, V, Rohtas at Sasaram, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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