

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4256 of 2021

Arising Out of PS. Case No.-106 Year-2018 Thana- LODIPUR District- Bhagalpur

Ram Das Yadav S/o Late Tulsi Yadav R/o village- Khutaha, P.S.- Lodipur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh

Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Lodipur P.S. Case No. 106 of 2018, registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, on 16.05.2018, while the nephew of informant was ploughing the field, which was taken by the informant on agreement from one Kaushlya Devi, all the 11 FIR named accused persons including this petitioner, variously armed, abused the informant and stopped the tractor. It is further alleged that all of the accused persons started indiscriminate firing and demanded Rs. 10 lacs, as *Rangdari*. However, no one sustained any fire-arm injury.

It is submitted on behalf of petitioner that petitioner



has been falsely implicated in this case due to land dispute. Though, occurrence is alleged to have taken place on 16.05.2018, but FIR has been lodged on 22.05.2018 without any plausible explanation of delay. It is further submitted that though there is allegation of firing, but no one sustained any fire-arm injury in the occurrence. It is further submitted that some of the similarly situated persons have already been granted anticipatory bail by this Court, vide order dated 15.07.2019 passed in Cr.Misc. No. 16431 of 2019 (Annexure 3). Petitioner is in custody since 16.05.2020. Chargesheet has already been submitted.

Considering the aforesaid facts & circumstances and the fact that there is land dispute between the parties and in the occurrence, no one sustained any fire-arm injury, the bail application of petitioner is allowed. 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, Bhagalpur in connection with Lodipur P.S. Case No. 106 of 2018, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the



court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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