

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19766 of 2022

Arising Out of PS. Case No.-99 Year-2021 Thana- ALIPUR District- Gaya

AMARJEET RAM @ MUNNA RAMANI Son of Late Janeshwar Ram
Resident of Village- Ithori, P.S.- Alipur, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 30-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Alipur P.S. Case No. 99/2021 registered for the offences punishable under Sections 504/ 506/ 307/ 511/34 of the Indian Penal Code and Sections 25(1-b)a ,26, 27 and 35 of the Arms Act.

As per prosecution case, the informant stated that on 29.09.2021 in the night after taking meal was sitting in Samudayik Bhawan. In the meantime, petitioner armed with gun alongwith co-accused, namely, Anil Yadav and others came and abused and threatened. The co-accused, Anil Yadav, shot fire on the informant with intention to kill him and on the sound of firing, the people assembled and after catching the petitioner snatched the weapon, but the petitioner managed to escape. The



petitioner is also involved in Naxal activity. Informant handed over the gun snatched from the petitioner and fired and misfired cartridge to the police.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Both parties are co-villager as well as co-partner / Gotiya and there is land dispute between the parties. He further submits that the wife of the informant is candidate of Mukhiya and the petitioner is supporting the another candidate of Mukhiya. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is languishing in custody since 29.10.2021 and the petitioner bears criminal antecedent of one case, in which he is on bail. Charge sheet has been submitted in this case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge has already been submitted and also taking into consideration the material available on record, let the petitioner above named 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



learned Judicial Magistrate, Gaya, District-Gaya, in connection with Alipur P.S. Case No. 99/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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