

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29686 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- NAYAGAON District- Begusarai

BAL RAM SINGH Son of Ram Subhag Singh Resident of Village -
Gorgama, P.S.- Nayagaon, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bhaskar Shankar, Sr. Advocate Mr. Rakesh Singh, Advocate Ms. Mina Singh, Advocate
For the Opposite Party/s :		Mr.Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Nayagaon P.S. Case No. 16 of 2022 registered for the alleged offences under Sections 307, 387, 379, 341, 323, 504, 506, 147, 148, and 149 of the Indian Penal Code Section 27 of the Arms Act.

As per prosecution case, petitioner and other co-accused persons entered into the house of the informant and started looting articles from the house. This petitioner threatened



the sister-in-law of the informant on gun point demanding money and keys of *almirah*. Other co-accused persons fired upon the informant and his sister-in-law causing injury to them.

Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no allegation against this petitioner for opening fire and only allegation against him is that of threatening the sister-in-law of the informant with gun. Learned senior counsel further submits that a large number of persons entered into the house and were standing outside the house as alleged but no case for *dacoity* was lodged by the police. In fact, no occurrence has ever taken place and present case is outcome of land dispute between the informant and the petitioner's family for which Title Suit No. 273 of 2018 has been filed by the uncle of the informant against the father of the petitioner. The informant got injured and there was some land dispute between the informant and some other villagers for fishing from a ditch and taking advantage of this injury, the informant filed this false case. Moreover, it is not believable that the petitioner and other accused persons did not conceal their faces while committing *dacoity* and the informant named them just to implicate in this case. The petitioner is having six criminal



cases pending against him and four of them have been lodged by the present informant or his family against the petitioner and informant is in the habit of lodging false cases against the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 23.03.2022.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that there is allegation against this petitioner that he put a gun on the temple of the sister-in-law of the informant and looted money and keys from her.

Having regard to the facts and circumstances and submission made on behalf of the parties and further considering the fact that allegation of filing is against other co-accused persons and the allegation against the petitioner is only of threatening the sister-in-law of the informant and further considering the period of custody and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Begusarai in connection with Nayagaon P.S. Case No. 16 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:



(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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