

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36056 of 2022

Arising Out of PS. Case No.-114 Year-2019 Thana- JEHANABAD RAIL P.S. District- Patna

Vijay Kumar @ Vijay Singh Son of Late Sadhu Sharan Singh Resident of
Village - Khayra, P.S. - Gaurichak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rail Jehanabad P.S. Case No. 114 of 2019 lodged under
Sections 302/34 of the I.P.C. read with Section 27 of Arms Act.

As per the prosecution case, the informant who is the
brother of the deceased has intimated that there is a land dispute
between his brother and 5 accused persons including the present
petitioner. It has been intimated that he received information
that in the early morning of 21.11.2019 his elder brother went to
Masaudhi Court but he received information at about 01:30 PM
that somebody has fired on his brother due to which he become

injured. The informant was about to reach there, then received information that he died. Informant has filed this case against 5 named accused persons indicating in the F.I.R. that due to land dispute, the named accused persons including the petitioner have killed him.

Learned counsel for the petitioner submits that there is no eye witness of the occurrence. Counsel further submits that from the F.I.R., it transpires that there is old pending land dispute going on between both the parties. Counsel further submits that there is nothing found in the case diary against the present petitioner. He submits that antecedent of the petitioner is clean and in custody since 23.02.2022. Counsel further submits that similarly situated accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 11.01.2021 passed in Cr. Misc. No. 33132 of 2020. Progress of this case was called for in which it transpires that presently case is running at the stage of appearance of the co-accused.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees

Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna in connection with Rail Jehanabad P.S. Case No. 114 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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