

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12352 of 2023**

Arising Out of PS. Case No.-87 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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RAMESH SINGH @ GOLKI SINGH S/O RAJENDRA SINGH @ KHOPDI
SINGH Resident of Village- Babhangama, P.S.- Nowkothi, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate
For the Opposite Party/s : Mr.Jagdhara Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

6 11-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
04.08.2022 in connection with Nowkothi P.S. Case No.87 of
2021, F.I.R. dated 26.06.2021 for the offences punishable under
Sections 341,307 and 34 of the Indian Penal Code and Section
27 of the Arms Act wherein chargesheet has been submitted
under Sections 307 and 34 of IPC and Section 27 of Arms Act.

3. Allegation against the petitioner is that he fired one
bullet upon the informant and other co-accused persons also
fired upon the informant but did not hit him.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He
further submits that the allegation as alleged in the FIR is false



and fabricated and the petitioner has not committed any offence as alleged in the FIR and as per FIR allegation against the petitioner is that he fired one bullet upon the informant but the informant had not received any injury and apart from the aforesaid other co-accused persons have also fired upon the informant and further allegation against the petitioner is that he also demanded extortion. Learned counsel for the petitioner submits that only two empty cartridges have been recovered from the place of occurrence and as per FIR altogether four fire has been inflicted upon the informant and informant is neighbour of the petitioner and there is land dispute between the parties and co-accused person, namely, Chikku Singh @ Chikku Kumar, against whom the allegation of firing also, has been granted bail by a Co-ordinate Bench of this Court vide order dated 10.08.2023 passed in Cr. Misc. No.46028 of 2022 and the petitioner is in judicial custody since 04.08.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he fired upon the informant and apart from the aforesaid the petitioner carries 16 more cases other than the present one but fairly submits that out of 16 cases, in



three cases, the petitioner has been acquitted, in nine cases, the petitioner is on bail, in one case, the final form has been submitted in favour of the petitioner and out of 16 cases, seven cases have been lodged by the informant and his family members, as mentioned in para-4 of the second supplementary affidavit.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Judicial Magistrate 1st Class, Begusarai in connection with Nowkothi P.S. Case No.87 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court 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.



3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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