

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4346 of 2023

Arising Out of PS. Case No.-748 Year-2019 Thana- BUXAR District- Buxar

HAWALDAR SINGH Son of Late Ram Bahadur Singh Resident of Village-
Majhariya, P.S.- Buxar Industrial, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parijat Saurav, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, petitioner along with other accused persons are said to have constructed boundary wall on the land of the informant. On objection, all the accused persons started firing indiscriminately as a result of which three persons have sustained gunshot injury.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. Petitioner was not present at the place of occurrence. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



There is admitted land dispute between the family of Rishikesh Rai and Tarababu Rai. There is case and counter case between the parties. Both sides have filed cases against each other. It is further submitted that after the investigation, the police has submitted the final form before the learned Court below but the learned Court below differing the final form took cognizance against the petitioner. Petitioner has six criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the final form has been submitted by the police, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Buxar (Town) P.S. Case No. 748 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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