

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23817 of 2023**

Arising Out of PS. Case No.-320 Year-2022 Thana- SAHEBPUR KAMAL District-  
Begusarai

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Sachidanand Ray, S/O Late Musharu Rai, R/O Village- Raghunathpur, P.S-  
Sahebpur Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate  
For the Opposite Party/s : Md. Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      23-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sahebpur Kamal P.S. Case No. 320 of 2022 registered for the alleged offences under Sections 120(B), 147, 148, 149, 379, 427, 337, 420, 467, 468 and 471 of the Indian Penal Code.

3. As per prosecution case, in the background of some land dispute the petitioner and other co-accused persons indiscriminately fired upon the informant and his family members but they were somehow saved. However, the petitioner and other co-accused persons damaged a tractor and took away two Bullet motorcycles, two cycles, three cows, four goats and



one motor pump and snatched gold chain from the brother of the informant. They also took away Rs. 25,000/- from the elder brother of the informant. The document produced by the petitioner regarding receipt of possession of the land is stated to be false and fabricated.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegations are general and omnibus and no specific overt act has been attributed to this petitioner. There is land dispute over land bearing Khesra Nos. 305, 308, 711, 712 and 713 situated in village Raghunathpur between the petitioner and the informant side who are agnates. The allegation of damaging tractor and taking away motorcycle is false and concocted. The informant was apprehended by the police on the same day of occurrence with carrying illegal arms and Sahebpur Kamal P.S. Case No. 319 of 2022 was registered on 23.11.2022. The petitioner is in custody since 25.12.2022 charge sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and a number of cases pending him

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the fact that there is no specific allegation of any overt act against the petitioner and also considering his 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 Additional Chief Judicial Magistrate-IVth, Begusarai in connection with Sahebpur Kamal P.S. Case No. 320 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) 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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