

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21504 of 2023

Arising Out of PS. Case No.-140 Year-2020 Thana- HALSI District- Lakhisarai

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Daso Ram Son Of Bako Ram R/O Kumaita, Ps- Halsi Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. Let the defect (s), if any, as pointed out by the
office be removed within a period of four weeks.

03. In the present case, the petitioner seeks bail in
connection with Halsi P.S. Case No. 140 of 2020 registered on
15.07.2020 for the alleged offences under Sections 341, 323,
307, 504, 506 & 34 of the Indian Penal Code and Section 27 of
the Arms Act.

04. As per prosecution case, the petitioner
accompanied with other co-accused persons fired upon the
informant, causing injury in his right leg. The occurrence took
place in the background of a dispute over the land, which was
being cultivated by the petitioner, whereas the claim of the



informant is that he has made payment of consideration money to the land owner and he was about to get the land registered in his favour.

05. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has not committed any offence. The occurrence took place in the background of land dispute as is apparent from the FIR, but it is admitted in the FIR that the land does not stand in name of informant and it was being cultivated by the petitioner for last three years. The petitioner is in custody since 18.11.2022 and charge-sheet has been submitted. The petitioner is having one criminal antecedent under the Excise Act.

06. Learned APP for the State opposes the prayer for bail submitting that the petitioner used firearm to assault the informant causing injury to him.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no intervening circumstance and injury has been caused in leg and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on



furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class/concerned court, Lakhisarai in connection with Halsi P.S. Case No. 140 of 202 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 for 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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