

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32618 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- SURYAGARHA District- Lakhisarai

Rajesh Ram @ Rakesh Ram Son Of Suresh Ram Resident Of Village -
Ramchandrapur, P.S.- Pipariya, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 17-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Suryagarha P.S. Case No. 258 of 2021 registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant alleged that this petitioner with other co-accused persons started indiscriminate firing upon the informant and his brother over a land dispute.

The main submissions advanced by learned counsel



Mr. Rajive Ranjan Singh, appearing for the petitioner are that the FIR itself goes to show that the petitioner is not a relative of both the parties who are agnates and a land dispute is stated to be the genesis of the occurrence and in the FIR, there is no specific allegation against the petitioner and he was simply alleged to be present along with the co-accused persons at the place of occurrence and there is no specific allegation of firing against him. Further submission is that the petitioner has been languishing in jail since 17.02.2022 and against the petitioner there is criminal antecedent of one case and he has got bail in the said case after filing the present miscellaneous petition.

Learned APP Mr. Brajendra Nath Pandey, appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above and mainly considering the facts that in the FIR there is no specific allegation against the petitioner and as per above submissions he is stated to have no relation with both the parties who are stated to be agnates and land dispute is stated to be the genesis of the occurrence and also taking into account the petitioner's custody period, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be enlarged 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 concerned Court in connection
with Suryagarha P.S. Case No. 258 of 2021.

(Shailendra Singh, J.)

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