

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47660 of 2023

Arising Out of PS. Case No.-347 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Vishal Singh@Vishal Kumar Son Of Yogendra Singh Resident Of Village-
Baradhi, P.S.- Chand, District- Kaimur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-08-2023 Heard the parties.

The petitioner is apprehending arrest in connection with Bhabua P.S. Case No. 347 of 2023 instituted under under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and section 27 of the Arms Act lodged on 25.4.2023 by the informant, Rupam Mishra.

As per the prosecution story, the informant alleged that the daughter of her sister who lives with maternal grandfather and has married the petitioner threatened her, her husband and brother of her husband is stating claim of the house. Further, on the fateful day, after abusing them, they opened fire but the informant's side saved themselves. Accordingly, the FIR.

Learned counsel for the petitioner submits that it was



only due to the fact that the maternal grandfather of the wife of the petitioner executed registered will in her favour and as such this FIR has been lodged. Further submission is that even maternal grandmother of his wife lodged a complaint against her own son and daughter-in-law (Annexure-3 to the petition).

Learned APP opposes the prayer but concedes that these facts are on record.

Considering the facts that has emanated in the petition, the petitioner is able to make out a case, a civil disputed has been given criminal colour, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Bhabua P.S. Case No. 347 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Bhabua subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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