

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51740 of 2023

Arising Out of PS. Case No.-172 Year-2023 Thana- MAIRWAN District- Siwan

=====

RAM BALAK SINGH S/O LATE RAM BRIKSH SINGH R/O VILLAGE-
UPADHYAY CHHAPAR, P.S- MAIRWA, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-08-2023 Heard the parties.

The petitioner is in custody in connection with Mairwa P.S. Case No. 172 of 2023 for the offence under sections 307, 120(B) of the Indian Penal Code and section 27 of the Arms Act lodged on 08.06.2023 by the informant, Sangeeta Devi.

As per the prosecution story, the informant alleged that while her husband was returning home, was shot by unknown persons. She had suspicion that this petitioner (Ram Balak Singh), Sohrat Ansari and Vinay Pandey alongwith other associated had a role in the said injury to her husband. Accordingly, the F.I.R.

It is the case of the petitioner that only on suspicion, they have been implicated, there is no specific allegation and



admittedly, there is land dispute which resulted into their name in the F.I.R.

The last submission is that he is in custody since 09.06.2023 (as stated in paragraph 17 of the petition).

Learned APP opposes the prayer for bail stating that they have been named in the F.I.R.

Taking into account the submissions put forward by the learned counsel for the petitioner as also that omnibus allegation is there and on the basis of her suspicion against the petitioner, there is land dispute and he is in custody since 09.06.2023, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Siwan, in connection with Mairwa P.S. Case No. 172 of 2023 subject to the following 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 appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) 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;

(v) 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

