

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56652 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- BALIYA District- Begusarai

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AMOD SINGH SON OF LATE RAMFAL SINGH RESIDENT OF
VILLAGE SADANANDPUR PS BALIA DISTRICT BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Ballia P.S. Case No. 163 of 2023 registered under Sections 147, 148, 504, 506, 354, 307, 379, 323 and 324 of the Indian Penal Code lodged on 20.06.2023 by the informant, Sitaram Singh.

As per the prosecution story, the allegation is that due to land dispute, the accused persons assaulted the informant's daughter-in-law, Guriya Devi as also Sri Ram Singh and further snatched the gold chain. Accordingly, the FIR.

It is the case of the petitioner that omnibus allegation is there. Admittedly, there is land dispute, the injury report of the Guriya Devi has been attached as Annexure-2 in which the



opinion has been reserved.

Further submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 10,000 through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP opposes the prayer for bail stating that all of them have abused, assaulted and snatched the gold chain of Guriya Devi and she has received injury.

Considering the fact that omnibus allegation has been made against the petitioner, he is in custody since 23.06.2023 (as stated in paragraph-10 of the petition) and do not have criminal antecedent, this Court is inclined to grant him privilege of bail, subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner, as stated above.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case NO.



163 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark 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 his 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 the bail bonds.

(Rajiv Roy, J)

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