

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5051 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- LADANIA District- Madhubani

Dewan Singh S/o Late Bhola Singh R/o vill-Sidhapkala, P.S-Ladania, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the State	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-08-2024 Heard the parties.

2. The petitioner is in custody in connection with Ladania P.S. Case No. 209 of 2023 for the offence punishable under sections 143, 341, 323, 324, 307, 325, 354, 504, 506, 34 and later added section 302 of the Indian Penal Code and Section 27 of the Arms Act, lodged on 01.08.2023 by the informant, Dukhi Singh.

3. As per the prosecution story, the informant alleged that due to minor altercation between the parties, the accused persons assaulted the informant side. The allegation against this petitioner is of hitting on the arms causing fracture while Ram Singh opened fire causing injury on the head of the son of the informant who succumbed to the



injuries and when the informant tried to save his son Ram Singh also opened fire hitting his hand and causing injury. Further allegation is against Rakesh Singh of causing injury to the granddaughter, which followed the F.I.R.

4. Learned counsel for the petitioner submits that allegation mainly is against Ram Singh of opening fire causing injury in the head of the informant's son who subsequently died as also injuring the informant. So far as this petitioner is concerned allegation has been made that he assaulted causing fracture in the arm. He submits that admittedly they are having land dispute has already suffering since 01.08.2023.

5. Learned APP opposes the prayer for bail submitting that there has been a death in the informant side and this petitioner actively participated.

6. Though, there is allegation against the petitioner of causing fracture to the informant in his hand, he has remained in custody 02.08.2023, i.e., immediately after the occurrence, main allegation is against Ram Singh of opening fire causing the death, as per the undertaking he will be cooperating in the investigation and diligently



appearing in trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Ladania P.S. Case No. 209 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member/relative 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 one year 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.

(Rajiv Roy, J)

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