

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32640 of 2024

Arising Out of PS. Case No.-837 Year-2023 Thana- KHAGARIA District- Khagaria

Ram Chandra Singh @ Ram Chandra Kumar, aged about 50 years, Male, S/O
Late Banarshi Singh, R/O Village- Sauraydih, P.S- Mufasil, Distt.- Khagaria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ranjeet Kumar Singh, Advocate
For the Opposite Party : Mr.Dilip Kumar No. 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Khagaria (Muffasil) P.S. Case No. 837 of 2023, G.R. No. 2809 of 2023 dated 17.08.2023 registered for the offences punishable under Section 341, 323, 307, 379, 504, 506 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant brutally and thereafter they snatched his golden chain. The petitioner fired on the informant with his pistol. On hulla, nearby people arrived there then the accused persons fled away. It is further alleged that the reason behind the occurrence is land



dispute between the accused persons and the uncle of the informant due to which they have targeted the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that six persons are named in the F.I.R., and specific allegation of firing is alleged against the petitioner but there is no injury report on the record. It is further submitted that one Anita Devi has lodged Khagaria Muffasil P.S. Case No. 806 of 2023 in which the informant of the present case was main accused who kidnapped the minor daughter of Anita Devi and the informant of the present case has lodged the present case against the petitioner with an intention to save his skin. There is admitted land dispute between the petitioner and the uncle of the informant but the informant has lodged the present false case only with an intention to save his skin from the case in which the minor daughter of Anita Devi is still traceless. It is further submitted that as per the F.I.R., there is specific allegation of firing against the petitioner but the injury has not been mentioned in the impugned order dated 07.03.2024, passed by the learned Additional Sessions Judge-IIIrd, Khagaria. The other co-accused persons have already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 16159 of 2024



under order dated 28.03.2024. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 23.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 837 of 2023, G.R. No. 2809 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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