

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74105 of 2024

Arising Out of PS. Case No.-325 Year-2024 Thana- AMARPUR District- Banka

Sachindra Pd. Singh @ Sachindra Singh S/o Late Chulhai Singh R/o Village-
Nandlal Patti, Police Station- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Mukherjee, Adv.
For the Opposite Party/s :	Mr. Choubey Jawahar, APP
	Mr. Dhananjay Kr. Pandey, Adv.
	Mr. Shyama Rani, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-10-2024 Heard Mr. Ajay Mukherjee, learned counsel for the
petitioner and Mrs. Shyama Rani representing the informant.

2. The petitioner is in custody in connection with Amarpur P.S. Case No. 325 of 2024 for the offence punishable under sections 341, 323, 307, 324, 354, 379, 504, 506 and 34 of the Indian Penal Code and Section 27 of Arms Act lodged on 24.05.2024 by the informant, Maya Devi.

3. As per the prosecution story, the informant alleged that due to land dispute, her nephew Laxmi Narayan Singh and Jairam Singh called her son, Amresh Kumar and during the alleged measurement, after abuse, they resorted to assault. When this was objected to, allegation is that Jairam Singh opened fire causing injury to her son, further, Laxmi Narayan gave 'kudal' blow on the chest of her son, the same allegation is on Kanchan Devi who injured the hand of her son whereas Satya Narayan gave blow on the head. Further, omnibus allegation of assault is on all the other members of the family of the petitioner, the last allegation is that



this petitioner, before leaving snatched the ear ring of the informant. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that both the petitioner and the informant are of the same family, she being the elder sister-in-law. There was a land dispute, measurement was going on, certain scuffle took place but exaggerated FIR in which so far as his role is concerned, the omnibus allegation of assault and snatching of the ear ring has been made, he is in custody since 02.07.2024 (para 4 of the petition) and do not have criminal antecedent.

5. Learned counsel for the informant, on the other hand submits that on the pretext of measurement of the land, the sons have been brutally assaulted and as such, he does not deserve bail.

6. Taking into account the aforesaid facts as also the submission, from the FIR, it is clear that the sons of the petitioner resorted to firing/kudal blow on the informant's son and so far as this petitioner is concerned, there is omnibus allegation of assault as also snatching of the ear ring, he has remained in custody since 02.07.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 Chief Judicial



Magistrate, Banka/Successor Court, Banka in connection with
Amarpur P.S. Case No. 325 of 2024 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 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;

(iv) 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)

Vijay Singh/-

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