

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4008 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Ramdaun Shahi S/O Late Ramjanam Shahi Village- Mehsaul, Ward No. 6, Ps.
Runnisaidpur, Dist.Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vaishnavi Singh, Advocate
For the State	:	Mr. Harendra Prasad, APP
For the Informant	:	Mr. Girijish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel for the informant
who has appeared suo motu.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 307, 120(B)/34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case in which he is on bail. It is
next submitted that the petitioner got a will executed in his
favour with respect to three acres of land from one Late Ram
Biraji Sahi. It is next submitted that the father of the present
informant got a sale deed executed with respect to 61 decimal of
the willed land from the second wife of Late Ram Biraji Sahi, as



such in between the petitioner and the father of the informant there is a dispute relating to land.

4. It is next submitted that no doubt in the present case the informant who is an injured alleges that he was shot by Murari Sahi and Deepak Kumar, but then in the end of the FIR, it is alleged that it was this petitioner who had conspired for getting the occurrence committed. The learned counsel for the petitioner next submits that since there is a dispute relating to land as such in order to coerce the petitioner into submission the present false case has been instituted.

5. The learned APP along with learned counsel for the informant opposes the anticipatory bail application and submits that no doubt petitioner is not alleged to be instrumental in committing the occurrence of firing, but then he is alleged to be a conspirator. It is also submitted since there is a dispute of land as submitted by the learned counsel for the petitioner in between the father of the informant and the petitioner as such it might be a possibility that petitioner might have conspired for getting the occurrence committed.

6. The learned counsel for the petitioner at this stage submits that petitioner will not abscond rather will cooperate in the investigation.



7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Runnisaaidpur P.S. Case No.19 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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