

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13609 of 2019

In
CRIMINAL MISCELLANEOUS No.3524 of 2019

Arising Out of PS. Case No.-290 Year-2018 Thana- RAMGARH District- Kaimur (Bhabua) *

1. Jawahir Ram, Son of Ram Niwash Ram Resident of Village - Taraiya, P.S.- Ramgarh, Distt.- Kaimur at Bhabua.
2. Manish Kumar Son of Jawahir Ram Resident of Village - Taraiya, P.S.- Ramgarh, Distt.- Kaimur at Bhabua.
3. Dhananjay Ram @ Janijar Ram Son of Ram Niwash Ram Resident of Village - Taraiya, P.S.- Ramgarh, Distt.- Kaimur at Bhabua.
4. Rajendra Ram @ Rajindra Ram Son of Ram Niwash Ram Resident of Village - Taraiya, P.S.- Ramgarh, Distt.- Kaimur at Bhabua.
5. Damodar Ram Son of Ram Nath Ram Resident of Village - Taraiya, P.S.- Ramgarh, Distt.- Kaimur at Bhabua.
6. Sunil Ram Son of Damodar Ram Resident of Village - Taraiya, P.S.- Ramgarh, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-03-2019 This application under Section 482 of the code of Criminal Procedure has been filed by the petitioners for restoration of Cr. Misc. No. 3524 of 2019, which was dismissed for want of prosecution vide order dated 25.01.2019.

Learned counsel for the petitioner submitted that on 25.01.2019 as he had fallen ill, he did not come to the Court and one of his colleagues, whom he had requested for taking



adjournment, also failed to turn up before the Court as a result of which the application was dismissed for want of prosecution. It is contended that there is neither any deliberate nor any willful default on the part of the petitioner and if the application is not restored, the petitioner would suffer for no fault of his own.

Considering the submission made at the bar, the application is allowed. Cr. Misc. No. 3524 of 2019 is restored to its original file.

Cr. Misc. No. 3524 of 2019

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Ramgarh P.S. Case No. 290 of 2018 registered under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

Considering the direct and specific allegation against petitioner no. 2 Manish Kumar and petitioner no. 5 Damodar Ram that they assaulted with *lathi* to the informant and her niece causing injury on their head, I am not inclined to grant them pre-arrest bail. Their application for grant of pre-arrest bail is rejected.

As far as other petitioners, namely, Jawahir Ram,



Dhananjay Ram @ Janijar Ram, Rajendra Ram @ Rajindra Ram and Sunil Ram are concerned, in the event of arrest or surrender before the court below, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-Vth, Kaimur at Bhabua in connection with Ramgarh P.S. Case No. 290 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

pradeep/sneha

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