

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31856 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- MADHEPURA District- Madhepura

Kuldeep Ram aged about 68 years (Male) Son of Rameshwar @ Ramesh Ram
Resident of Village - Mathahi, P.S.- Madhepur, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Mishra, Advocate
For the Opposite Party : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 325, 307, 379 and 34 of the Indian Penal Code registered in connection with Madhepura P.S. Case No. 201 of 2019.

3. It is submitted that the petitioner, who is 68 years of age, has been falsely implicated merely because he happens to be head of the family of the accused persons. The accusation of assault with lathi and Danda upon the informant is highly improbable. The first information report has been lodged in the backdrop of Complaint Case No. 28 of 2019 filed by the informant's wife against the informant in which co-accused Nago Ram stood as prosecution witness on behalf of the informant. The accusation of assault is general and omnibus in nature. The petitioner has been made accused in one prior case which has also been lodged by the informant.

4. Learned APP submits that the injury on the informant's leg is grievous in nature.

5. Be that as it may and considering the age of the



petitioner as well as accusation of assault is general and omnibus, in the event of his arrest or surrender before the court below within six weeks from the date of communication of this order, let him 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, Madhepura in connection with Madhepura P.S. Case No. 201 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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