

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62014 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- TARAIIYA District- Saran

RAM KUMAR DAS @ RAJ KUMAR DAS, Son of Shatrudhan Das @ Shravan Das, Resident of Village-Usari Chandpura, P.S.-Taraiya, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner, informant and learned APP for the State.

The petitioner is languishing in custody since 15.04.2019 in a case registered for the offences punishable under Sections 341, 323, 307, 34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Suresh Das is to the effect that on 21.01.2019 at 7.30 P.M., the son of the informant, Bhagwan Das entered into the courtyard of the house in injured condition and fell down. On enquiry, he suggested that he was being assaulted by the petitioner, Ram Kumar Das with a knife. The son of the petitioner further suggested that the petitioner was accompanied by his three brothers, namely, Raj Kumar Das, Deo Kumar Das and Sheo Kumar Das and they all assaulted the son of the informant



with knife.

It is submitted by learned counsel for the petitioner that in the background of old enmity, the accusation has been levelled against the petitioner. Admittedly, the informant is not an eye witness to the occurrence. Though the impugned order suggests that the son of the informant has caused four sharp cut injuries, but the opinion with regard to the said injuries has been kept reserved. Moreover, for the occurrence of 21.01.2019, the FIR was registered on 02.02.2019 which reached to the Court of learned ACJM-IX on 05.02.2019. It is further submitted that the investigation has already been concluded and a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that there is specific accusation against the petitioner to have assaulted the son of the informant with knife.

Considering delayed lodging of the First Information Report, the investigation already being concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond



of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IX, Saran at Chapra, in connection with Taraiya P.S. Case No. 30 of 2019.

(Dinesh Kumar Singh, J)

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