

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9000 of 2020

Arising Out of PS. Case No.-194 Year-2019 Thana- GOH District- Aurangabad

1. AJEET RAM S/o Ram Prasad Ram Resident of Village- Ankuri, P.S.- Goh, Distt- Aurangabad.
2. Mahendra Ram S/o Late Deo Charan Ram Resident of Village- Ankuri, P.S.- Goh, Distt- Aurangabad.
3. Chandeshwar Ram @ Chandeshar Ram S/o Ram Prasad Ram Resident of Village- Ankuri, P.S.- Goh, Distt- Aurangabad.
4. Sudhir Kumar @ Sudhir Ram S/o Mahendra Ram Resident of Village- Ankuri, P.S.- Goh, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Madan Mohan Sharma, learned counsel for the informant and Shri Dinesh Singh, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Goh P.S. Case No. 194 of 2019 for the offence registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

At the outset, the learned counsel for the petitioners seeks to



withdraw the present petition qua the petitioner no. 3, in light of the prima facie view of this Court, with liberty to him to surrender before the learned court below and seek regular bail.

Accordingly, the present petition qua the petitioner no. 3 stands disposed off as withdrawn, however, with liberty to the petitioner to surrender before the learned court below and pray for regular bail.

The case of the prosecution in brief is that the accused persons had surrounded the informant, while he was returning from his field to his house and as far as the petitioners no.1, 2 & 4 are concerned, they are said to have assaulted the informant whereafter the son of the informant had also arrived there and the petitioners no. 1, 2 & 4 had also assaulted the son of the informant. The petitioner no. 3 is said to have assaulted the informant by bhala and lathi causing grievous injury to the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedents. It is further submitted that the petitioners have been falsely implicated on account of land dispute and village rivalry amongst the parties.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case,



considering the submissions made by the learned counsel for the petitioners as also taking into account the materials available in the case dairy, it appears that the petitioner no. 3 has prima facie been found to have inflicted grievous injury on the informant, however, the injuries attributable to the petitioners no. 1, 2 & 4 are simple in nature and moreover the petitioners are having clean antecedents, hence I deem it fit and proper to admit the petitioners no. 1, 2 & 4 to the privilege of anticipatory bail.

Accordingly, the ***petitioners no. 1, 2 & 4***, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Goh P.S. Case No. 194 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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