

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23228 of 2020

Arising Out of PS. Case No.-88 Year-2019 Thana- DARAUNDA District- Siwan

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KAMLESHWAR RAM @ KAMLESH KUMAR RAM @ KAMLESH RAM,
aged 30 years, Gender-Male, Son of Suraj Ram, Resident of Village-Karsaut
Garhpar, Police Station-Daraunda, District-Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bijay Prakash Singh, Advocate.
For the Opposite Party : Mr. Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

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

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 324, 307, 504
and 379/34 of the I.P.C.

The prosecution story, in brief, is that on 15.05.2019



at about 10.00 P.M., some persons of the village of the informant were making altercation, while *Barat* of the daughter of one Rameshwar Ram about to reach at his door, when he protested the persons, who made altercation, they became annoyed, then Kamlesh Ram (petitioner), co-accused Munna Ram and the son of Kamladeo Ram started abusing him and the son of the Kamladeo Ram caught hold him and Kamlesh Ram (petitioner) gave *Tangi* blow upon his head, as a result of which, he became unconscious and fell down. It is further alleged that co-accused Munna Ram took away Rs. 1,000/- from his pocket. On halla, his family members came and brought to *Daraunda P.H.C.* after that referred to Sadar Hospital, Siwan, for better treatment.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the injury report, nature of injury is said to be simple. At best, it is case for an offence under Section 324 of the I.P.C. No offence under Section 307 of the I.P.C. is made out in the present case.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Siwan,, in connection with Daraunda P.S. Case No. 88 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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