

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23590 of 2020**

Arising Out of PS. Case No.-60 Year-2020 Thana- PARSA District- Saran

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AJAY RAM Son of Bhimal Ram Resident of Village - Sri Rampur, P.S. Parsa,
District – Saran. Petitioner

Versus

THE STATE OF BIHAR Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-10-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed out by Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Meena Singh, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Parsa P.S. Case No. 60 of 2020 registered for the offences punishable under Sections 341, 323, 504, 379, 307/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated by vaguely stating that he along with other named accused had assaulted the husband of the informant by lathi/danda and caused injury on his head.

It is submitted that the allegation of causing head injury are general and omnibus against the petitioner and co-accused Bhimal Ram, Sukdeo Ram and Seeta Devi, there is also a general



allegation that all of them had snatched golden chain and finger ring of the informant and took out Rs.40,200/- from the informant.

Referring to the statements made in paragraph '9' of the application, learned counsel points out that there is no injury on the person of the informant whereas only one simple injury was found on the person of her husband. Though learned counsel submits that the same is mentioned in the impugned order but the reading of the same does not show such mentioning, still learned counsel for the petitioner insists that in course of investigation only one simple injury has been found on the body of the husband of the informant and this fact may be got verified by learned court below before accepting the bail bond of the petitioner.

Learned APP for the State has submitted that if the contention of the petitioner is correct, the same may be verified by the learned court below before accepting the bail bond.

Having regard to the facts and circumstances of the case, this Court directs that the petitioner above-named in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Saran, Chapra in connection with Parsa P.S. Case No. 60 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available



for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify from the materials either on the record or by calling from the I.O. that there is only one simple injury on the body of the husband of the informant and on being satisfied with such statement, he will accept the bail bond of the petitioner. In case calling of records is likely to take time the bail bonds shall be accepted provisionally and shall be confirmed after verification.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

This application is disposed of with the aforesaid terms and conditions.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

