

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28736 of 2020

Arising Out of PS. Case No.-25 Year-2020 Thana- KARAMCHAT District- Kaimur (Bhabua)

1. NIRANJAN RAM Son of Lal Babu Ram Resident of Village- Bhitari Bandh, P.S.- Karamchat, District- Kaimur at Bhabua.
2. Deepak Ram Son of Lal Muni Ram Resident of Village- Bhitari Bandh, P.S.- Karamchat, District- Kaimur at Bhabua.
3. Santosh Ram Son of Suresh Ram Resident of Village- Bhitari Bandh, P.S.- Karamchat, District- Kaimur at Bhabua.
4. Vinod Ram Son of Birbal Ram Resident of Village- Bhitari Bandh, P.S.- Karamchat, District- Kaimur at Bhabua.
5. Baban Ram Son of Dahin Ram Resident of Village- Bhitari Bandh, P.S.- Karamchat, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Adv.
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-12-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Mr. Nirmal Kumar Sinha, learned APP, is appearing as it is submitted that the brief has been allotted to him by



the office of Advocate General. His name may also be printed in the cause list.

Heard learned counsel for the petitioners and learned APP for the State .

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioners apprehend their arrest in connection with Karamchat P. S. Case no. 25 of 2020 instituted for the offence under Sections 147, 148,149,323,324, 307 and 504/34 of the Indian Penal Code.

15 to 20 persons variously armed have allegedly assaulted upon the informant when he reached at the place of occurrence upon hearing a brawl.

The petitioners' counsel submits that petitioners side had lodged Karamchat P.S. Case No. 24 of 2020 against the instant informant and his relatives. The instant case has been lodged as a counter blast to the said case. A false injury report has been obtained. However, the same shows that the injuries allegedly sustained by the informant are not



grievous in nature. The petitioners bear no criminal antecedents and there is no specific allegation against any of the petitioners.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners before the court below, named above, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of CJM Kaimur at Bhabua and/or transferee Court , in connection with Karamchat P. S. Case No. 25 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.



(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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