

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30373 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- JAMHOR District- Aurangabad

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Ravi Kumar, S/o Radha Mohan Singh, Resident of Village-Retnour, P.S.-
Jamhore, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Krishna Pd. Singh, Sr. Advocate
		Mr.Rakesh Singh, Advocate
For the S t a t e	:	Ms.Anita Kumari, APP
For the Informant	:	Ms. Mukul Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Ms.Anita Kumari, learned APP is appearing for the State as it is submitted that the brief has been allotted to her by the office of Advocate General.

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

The petitioner seeks bail in connection with Jamhore



P.S. Case No.23 of 2020 registered for the offence punishable under Sections 302, 307, 341, 323, 147, 148, 149 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that while the informant, his brother and mother were harvesting paddy crops, accused persons, 14 in number, have assaulted them by means of various arms.

Mr. Krishna Prasad Singh, learned Senior Counsel appearing for the petitioner submits that the informant has made specific allegation of assault against co-accused Rakesh Kumar, Jimendar Singh, Amul Kumar, Yamuna Yadav, Rahul Kumar and Manish Kumar. Against the petitioner whose name figures as 9th accused person, there is no allegation of any specific assault on any specific person. Being a male member of the family, the petitioner has falsely been made an accused along with others. He bears a clean antecedents and is in custody since 17.04.2020

Learned counsel for the informant and learned APP for the State have opposed the prayer for bail. It is submitted that the murder of the informant's brother has been committed. Chargesheet has already been filed by the police. Five persons have sustained injuries in the alleged incident and therefore, the



petitioner is not entitled to bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Aurangabad, in connection with Jamhore P.S. Case No.23 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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